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THE HEIRS

OF

DILSTON & DER WENTWATER

BEING AN ACCOUNT TRACED DOWN FROM THE EARLIEST
KNOWN DATE OF THE ANCESTRY TO THE
PRESENT DAY, THUS INCLUDING

THE CLAIM OF THE COUNTESS AMELIA.

BY S. S. JONES,

Author of "History of Northumbria," "Northumberland and its
Neighbour Lands," "Integrity," "Beatrice," "The
Heavenward Road," "Hadassah," "Thornie-
cliffe," "Love and Blessing," &c., &c.

Price One Shilling; Cloth, Eighteenpence.

HEXHAM:

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1869.

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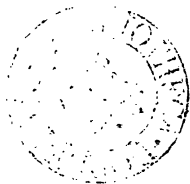
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Neighbour Lands," "Integrity," "Beatrice," "The
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cliffe," "Love and Blessing," &c., &c.

"I acknowledge fully and frankly there is a great difference between corporate and private property, but this I do lay down and will maintain against all comers, that under no circumstances whatever can the trustee appropriate the property entrusted to him. If such a course were sanctioned, no property of any kind would be safe, and the credit of the nation must collapse."—Mr DISRAELI, in the House of Commons, March 20, 1869.

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P R E F A C E .

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THE writer of the following pages sometime previous to becoming acquainted with the claim now put forward by the Lady Amelia, Countess of Derwentwater, published in her work, "Northumberland and its Neighbour Lands," an account of the early Lords of Dils-ton, and concluded that account according to what was then the received idea of the English people respecting the fate of John, son of the decapitated Earl James, namely, that he died in his nineteenth year. Such being the case, now that a clearer light has been shed upon this subject, and matters of such moment hinge upon the proved correctness or incorrectness of that idea, the writer feels it a duty incumbent upon her to continue the history up to the present time, according to those family records which the Countess has laid before the public; adding thereto an account of the nature, right, and reasonableness of her ladyship's application for her lands.

The earnest and unprejudiced aim of the writer has been to lay that claim fairly before the public, stripped of all the conflicting erroneous and extraneous matter which numer-

ous letter-writers in the public papers have gathered round it ; and giving as far as possible the clear chronological position of each event as it came to hand.

The reader will observe that the spelling of the names *Radcliffe* and *Derwentwater* in the pages relating to the correspondence between the 6th Earl and Lord Erskine differs from that throughout the volume generally ; the work has come slowly through the press, and during the printing of the early pages of it, but little comparatively was known of the authenticity of the claim which was then being made by the Countess, and the orthography which the gradual settling down of custom has made familiar to us was used ; for the sake of uniformity, it has been continued throughout the volume, but in the far back times those names were spelt *Radclyffe* and *Darwentwater*, and to that orthography the Countess Amelia herself still adheres.

The case which is now pending respecting the appropriation of the lands of her ladyship's ancestors, is one of vital importance, not by any means to the applicant for those estates only, but to the community at large, as touching the truth and nobleness of the English Legislature, and the Law of Heritage, which

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is so precious to all. The patient and fair investigation which has lately been given to the case of Saurin and Starr, may well encourage the hope that in one of so much more importance, and so much more oppression, a like patient investigation and even-handed justice, joined to an unflinching courage, will defend the right.

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The Lords of Dilston and Derwentwater.

CHAPTER I.

THE DOMAINS AND THEIR ANCIENT OWNERS.

Is ought in the poet's fancy,
More strange than real life?

THE autumn of 1868 will likely long be noted in history as the period of the commencement of a struggle for right, between the English Lords of the Admiralty and the ancient and noble race of the Radcliffes of Derwentwater: the one party striving to retain their hold on possessions which more than 150 years previous were seized by Government; and the other endeavouring to regain their noble and ancestral lands.

The pages of this volume are designed to give the history of the Radcliffe family, from the earliest period of which we have any record, when previous to their gaining the lordship of Dyvelston or Dilston they held rule over their earlier possessions of Derwentwater. By way of commencement we will give a brief sketch of the localities themselves, commencing as it comes first in the order of time with the latter.

DERWENTWATER.

Land of the vale and mountains,
Isles of the Derwent Lake,
Stream of a thousand fountains,
Mists on the mountain peak!

THIS 'estate, so remarkable both for its own varied and romantic beauty, and for that of its surroundings, lies along the shore of the lake of Derwentwater, in Cumberland. The estate measured in length somewhere about two miles in the early days, but as time passed on, it was greatly increased in dimensions, upwards of thirty different localities being added to it in Cumberland, while the family who owned it possessed likewise several estates in Northumberland, previous to their gaining that of Dilston.

At the time of the unfortunate James, Earl of Derwentwater's attainer, the annual income of the Keswick property was £1,395. It comprised 646 acres, and it is this portion of their demesne of which we are now speaking.

In the far-away times of Roman rule in England, when their noble barrier-wall was stretching away in the north, over hill and down dale, to keep out the Picts from the land they had conquered and were keeping, they had a

strong fort built on one of the precipitous rocks of this estate, which overlooked the Derwent lake; and here they had ruled over and kept in submission the rugged race which then inhabited what we call Cumberland and Westmorland. The place is still known by the name of Castle Crag.

There, in the earlier days still, amid the forests which skirted and overhung the lake, the ancient Druid race dwelt in their woodland homes, and fulfilled life's duties according to the degrees of light which they possessed; and if their worship was a darkened one—and their rites to us seem equally mysterious and cruel—let us remember that *our* clear light of Christian truth was a thing unknown to them; when it did make way in England, it swept the dimness of Druidic lore away.

In all probability the Castle Crag came into the possession of the Saxon marauders in King Ida's time, although the Cumbrians were a fierce and warlike race, and long withstood them. How long previous to the Norman conquest the Radcliffe or Radclyffe family had rule in this locality we cannot tell, but that they were there nearly a century before William landed, seems quite evident; for there is yet in Keswick a relic in the form of an ancient

dinner-bell belonging to their residence bearing date A.D. 1000. At that period the frightful trade of slavery overran the land ; there were many judicial regulations respecting it, but the most of them were only of such a nature as to shew to us in these days to what a horrible extent it was practiced. Amongst those who made the noblest stand against it was a knight of the Radcliffe family ; and he gained in consequence a glorious designation, " The emancipator of children," for he succeeded in bringing in a statute preventing the sale of these by parents. It was at this time that the land was chiefly inhabited by the Dano-Saxon race, prior to Sweyn's great invasion. The name of the estate then was that of Waldsteine-waters, the Anglo-Saxon one for the present one of Derwentwater, which seems to have begun with the Norman era.

Time passed on, the wretched Ethelred was on the throne, though he could scarcely be said to be ruling in Northumbria ; then came his horrid massacre of the Danes ; the vengeance of Sweyn, with its sweep of horror over the whole land ; the reigns of Canute, Harold Harefoot, Edward the Confessor, and the noble but unfortunate Harold, followed by the battle of Hastings ; and then, the iron rule

of the new Norman king, whose followers had to be paid out of the beautiful domains of England ; and a time came when, they drove out the Radcliffes from their own lordship of Waldsteine-waters to find a refuge in their more southern lands of Lancashire.

The rapacious followers of William the Conqueror gained rich possessions here, and it is said that they removed the materials which the Romans had used in the construction of their fort on the Castle Crag, and with them built a strong residence for themselves on Lord's Island, now one of the islands of the lake, but which, when they gained possession of the district, was a peninsula, stretching out into the wide expanse of water. Skilled in the art of fortifying the positions they gained by war, they cut the land through, and, over the moat thus made, threw a draw-bridge for their own use ; and here for ages they upheld their haughty sway over the poor coerced people they had conquered. The erection of this moated stronghold would not, however, be in the very early days of Norman rule in England ; for gigantic in powers, both of body and mind as William was, it was long before he had advanced thus far into the north.

Few estates can boast of prospects of more

varied and entrancing beauty than that possessed by the lords of Derwentwater. There is the undulating, gentle, far-stretching beauty of the vale of Keswick, the heights of the Derwent fells, the ever-changing face of the lake—now seen dancing in silver sheen beneath the moonlight, now tossed in grand and awful magnificence by those angry storm-winds, which in these localities so often and so suddenly rise ; now smiling beneath the bright sun of the morning, the splendid fervour of the noontide, or the surpassing glory of the decline of day. There are the fleecy movements of the rolling mists along the hill-sides, the wild meanderings of the Derwent, the rushing glory of the magnificent Lodore, as the river pours down its torrent in foam, amid rock and precipice ; there are the rocky mountain-heaps of the Wallow Crag, and the towering crest of Skiddaw overlooking all,

“ This is the land of the mist and the mountain,”

wild, varied, beautiful, and romantic ; and here, for upwards of 350 years, did these Norman lords bear rule : this was a long period for the Radcliffes to be dispossessed, and yet eventually gain their heritage again : but this they did : for Sir John de Derwentwater being the last male of the Norman line ; in the year

1422 Sir Nicholas Radcliffe, afterwards sheriff of Cumberland, married Sir John's daughter and heiress, and thus came to his own again. During the eleventh century they had been known as the de Radcliffes of the village of Radcliffe, in Lancashire.

From this marriage sprung Thomas, afterwards Sir Thomas Radcliffe, who, after succeeding to his father's titles and estates, married Margaret, the daughter of Sir William Parr, of Kendal Castle. Of this latter family came afterwards the Queen Catherine Parr, of the eighth Henry.

This Sir Thomas Radcliffe had six sons, of whom the third one, Edward, became, on the decease of his two elder brothers and their sons, the heir. It was at this period that the noble estates of Dilston became associated in history with the records of the Radcliffe family; for Sir Edward espoused Anne, the daughter of John Cartington, of Cartington Tower, Northumberland, and his wife Johanna, the Lady of Dilston. Thus we see that both of these estates came to the Radcliffe family by *females*. This marriage was somewhere about the year 1493, and from it there were two sons, Cuthbert and John, both of whom were knighted. Their father, Sir Edward, was high-

sheriff of Northumberland in the year 1502 ; he was knight of the body to King Henry VIII., and a knight banneret, their kinship to Queen Catherine Parr being likely the promoting cause. As some of those lords of Dilston and Derwentwater had numerous families, it would occupy too much of our space to follow the histories of them all, we shall, after *this* family, confine our sketch to those branches to whom, in lineal descent, the estates came.

Christopher and Rowland, two of the brothers of Sir Edward, devoted themselves to a religious life ; the eldest, John, seems to have died young ; the second, Sir Richard, was high in favour with Richard III., who, while he was Duke of Gloucester, made him a knight banneret, and, when seated on his usurped throne, created him Knight of the Garter. It was concerning this individual that the famous distich was made, which cost its unhappy author so dearly—

"The cat, the rat, and Lovel, that dog,
Rule all England under the hog."

These abbreviations for Catesby and Radcliffe, and the giving King Richard's crest of the hog instead of his name, being insufficient to veil the political meaning. In 1484, Sir

Richard Radcliffe was made high-sheriff of Westmorland for life. There is nothing particular recorded of Nicholas, the third son of Sir Thomas ; therefore it is probable that he died young.

The next heir to the estates was Sir Cuthbert, eldest son of Sir Edward ; he was high-sheriff of Northumberland in the year 1528. In the year 1514, he had espoused Margaret, daughter of Henry, Lord Clifford of Westmoreland and Vesey.* Their marriage took place at Brandon Tower, in Craven ; he had three sons and several daughters ; his lady died in the thirty-seventh year after their union. His brother John died the same year, 1528, in which he was made high-sheriff of Northumberland. John appears to have resided on the Isle of Derwentwater ; he several times filled the office of high-sheriff of Cumberland. He and his wife, Dame Alice or Alicia, are interred in the ancient church of St. Kentigern, at Crosthwaite, in that county ; and a fine specimen of monumental brass there is yet remaining to their memory. Sir John is represented on it in a complete suit of plate armour ; his neck is ornamented with jewelled

* This was the great-great-grandfather of the Lady Anne, Countess of Pembroke.

chains, and his long hair, parted on the forehead, falls back in curls ; he bears a long, cross-hilted sword and dagger. Dame Alice is attired in a flowing dress, brought high up to the throat, and confined at the waist with a girdle ; the latter is secured by a clasp of three roses ; a chain is worn round the neck. The hands of both are in the usual position, elevated, in the act of supplication. The inscription, engraved in Old English, is beneath—

“ OF YOUR CHARITE PRAY FOR THE SOULE
OF SIR JOHN RATCLIFFE, KNYGHT, AND FOR
THE STATE OF DAME ALICE, HIS WYFE ; WHICH,
SIR JOHN DYED THE 2ND DAY OF FEBRUARY, ANNO
DOMINI M.D.XXVII.† ON WHOSE SOUL JESU
HAVE MERCY.”

Sir John left his nephew, John, the son of his sister Anne, heir to his estates.

Sir Cuthbert Radcliffe, of Dilston, lived seventeen years after his brother, dying on the 20th of July, 1545.

It is now quite time we say something descriptive of the estate of Dilston, perhaps it may be somewhat of a rest to the reader's mind to have it here ; so, breaking the somewhat wearying thread of genealogical names—

† The ecclesiastical year.

DILSTON.

"Race after race held here high heritage,
And lords were called of this so fair domain."

VARIED and beautiful as the wide-spread scenery of Dilston is, it is of a totally distinct nature from that which characterises the Derwentwater estate. Here are no lofty mountains, like Skiddaw, towering upward to the skies ; there is no vast liquid expanse, like the lake of Derwentwater, for the eye to rest on ; and no wooded islands to speculate upon, or draw sylvan scenes in fancy concerning their former habitants ; but yet there is rock, and precipice, and wood, and water—noble woods indeed—and fine undulating richly cultured lands. Few localities show more finely the rotation of the seasons than do these lands : the early green of spring, the swelling buds and blossoms as the year advances, the rich efflorescence of May and June, the glorious gradations of colour in the autumn, and the dazzling purity of snowy winter.

The present name of the estate is said to be a corruption of the one it bore as far back as the last half of the twelfth century, and very probably much farther ; and the family who

in these early times possessed it took their name from that of the lands they owned. Robert de Dyvelston, Thomas de Dyvelston, and Simon de Dyvelston, with many others of their race, were successively the possessors of the property and "lands," and the "Lady of Dilston," already named, was but a modernizing and femininizing of the same. The wild romantic river which, with all the varied beauty of a mountain stream, winds and rushes here and there in its course towards the Tyne, bears the old name still—the De'ilswater or Dyvelswater. In the olden time, when the great barons of England held such a powerful grasp upon the reins of government, this ancient family is said to have been in great power. They had marriages and intermarriages with many of the other old families of the North ; and, by these unions, they greatly added to the number of their patrimonial estates.

The dwelling of the Dyvelstones here, in those early ages, was one of those strong places of defence in the erection of which architectural strength was thought of chiefly, and architectural beauty very little ; not that the builders of those times were not equal to it, for this the magnificence of their designs, and the exquisite skill with which they were

carried out in church-architecture, fully proves. They made their houses strong to keep themselves and their families and their treasure safe ; but they founded abbeys and reared cathedrals on scales of such magnitude and grandeur as is seldom thought of in modern days. Dyvelston Tower, with its straight lines and massy walls, was built on the summit of a precipice, within sound of the bells of the present abbey church at Hexham,—those melodious bells, which, as one listens to them, seem to have caught a sweetness from some other realm, as they float it away in rich and mellow music over the vale of Hexham.

Who dwelt in this locality in the still earlier days, when Bishop Wilfred reared his magnificent abbey here in the latter part of the seventh century, we cannot tell ; some Saxon or Dano-Saxon family would own it then, for William and his Normans and his mercenaries had never set foot in the land till nearly four hundred years after.

In the year 852, that year made so memorable for these lands by the frightful ravages of the Danes, those magnificent ecclesiastical erections of Bishop Wilfred, at Hexham, were utterly destroyed, and all the lands surrounding them,—(Dyvelstone, doubtless, amongst the

rest), were utterly devastated. All the inhabitants for many a long mile round were scattered or slaughtered ; and nothing but smoking ruins was left upon the lands which these destroyers had found richly cultured, prosperous, and happy. Gradually, however, after a long lapse of years, the seared and desolated district began to recover itself, the fine swelling undulations of hill and dale once more put on their beautiful garments ; for the ruined dwellings got rebuilt, and the land was once more tilled. Not so, however, was it so with those buildings of Wilfred's, the like of which, it was said, were not to be seen on this side of the Alps for magnificence and beauty ; for so utter had been their destruction, and so dire the contrast between their past and present, that no one seems to have had the heart to move at all in the way of restoring them, for the long space of nearly two hundred years. The sound of workmen, at last, however, was heard there again, the debris was cleared away, and eventually the noble abbey and abbey church were reared up again in all their magnificence of design and strength.

Again long years passed over ; two centuries came and went, and then here, too, came William the Norman ; first with a sweep of a

deluging invasion, then the iron rule of a conqueror and king. The people of York slaughtered the haughty Normans that he sent amongst them as governors and rulers ; and then came his fell revenge, of laying waste all the wide sweep of these northern counties ; followed, in a few years, by dividing the land in huge gifts for payment to his Norman lords. Into the hands of some of these fell the domains of Dilston as well as Derwentwater, and the last lineal male descendant of one of them, it is supposed, was the father of the Johanna, Lady of Dilston, who married Sir Edward Radcliffe, of Derwentwater.

Thus much for a brief sketch of Dilston and its masters and surroundings in ancient days. In the year 1545, it is described as the manor, park, and mill of Dilston. In 1621, the mansion house was greatly enlarged and improved by Sir Edward, son of Sir Francis. The new erections were three storeys in height, carried up to the full height of the old walls. The window of the hall is mentioned as having nine lights transomed ; the freestone that was required for it was quarried in the park.

The initials F. R. and J. R., and the date 1616, are cut on an ancient stone gateway, a little to the south of the castle.

In the year 1710, a suit of new spacious apartments, to be executed in a very splendid style, were commenced by the last young earl, but his untimely death was the cause of their never being completed ; and after the sad seizure of all these fine baronial heritages, and of many more which are not here named ; the entire family-dwelling, old and new, with the exception of the old tower and the chapel, were ordered to be pulled down ; the very stones were taken away, and the ground levelled. Trees were ordered to be planted round the latter, and there they now stand ; the old tower is visible to the eye of the traveller for many a mile, upon its time and history-honoured height ; surrounded by the rich old woods, and all the varied beauty of undulating hill and dale, and wood and water, of that fertile country.

The clock of the mansion* and the great hall-bell were given to the Church of St. Augustine, at Alston ; it had been new cast for the noble hall which the unfortunate young lord was erecting, and bore date 1714, but his lamentable death taking place in February,

* The last young earl was very fond of hunting and other field sports, and it was the rule of the house, on the eve of the hunting parties, for all the household to retire to rest at ten o'clock.

1716, it was only for a very brief period that it performed its office there.

Like most of the baronial keeps, built in the days of border warfare, conspiracies and feuds ; the old castle at Dilston has its tale of vaults, subterranean passages, goblin chambers, and such like ; and there certainly is a vault or dungeon below it, where, in all probability, many a lone captive pined amid the darkness, in those early days when the feudal warfare and feudal power held the land in chains. It is by no means improbable that there was a subterranean road leading either from it or some other dungeon like it, and forming a secret outlet from the castle by the rocky precipice near the Dyvelswater ; or, possibly, it might communicate with others of a similar nature, leading underground from Wilfred's abbey, at Hexham, the walls of which ecclesiastical structure, were so built with passages and staircases inside them, that multitudes might be concealed there between the walls, entirely unseen by those who had entered by the outer doors.

A fine avenue of chesnut trees once led round, by noble sweep, to the entrance-hall of the mansion at Dilston, by the old gateway already named, and some few of these trees

still remain. The western front, in its upper storey, commanded a fine view of the lovely vale of Hexham, and before this front, stretching away westward, lay the garden-ground, reaching to the top of the precipitous cliff which overlooks the Dyvelswater, and by the foot of which some suppose the subterranean way from the tower dungeon led.

It was on the frontage of this fine aspect that the young earl purposed to have his state-apartments ; they were to consist of a noble hall, a drawing-room, and other chambers adjoining ; the entrance was, of course, to be from the gardens. Some were built and finished, others in progression, and others scarce begun, when the work was stayed by his lamentable death.

The fitting-up of the family chapel appear to have been in a style of exquisite beauty ; and perhaps in a degree similar, may have been those of some of the apartments already named. There are some of these fittings preserved by the family descendants of Mr. Rooke, who was third husband of Lady Mary, mother of the last earl. They consist of a very beautiful altar-covering of satin, primrose coloured, quilted, and richly embroidered ; there are two small cushions to match, and another, a

kind of table-cover of white silk, very beautifully embroidered with gold, crimson, and green. Several of these relics, and great numbers of those of the Radcliffe family, are in the possession of the lady who, in the year 1868, commences an energetic struggle for the lands of her ancestors, forming perhaps one of the most valuable and interesting collections possessed by any peer of this realm.

The ruins which are left of Dilston Castle, or Dilston Tower, as it was as generally called, are not extensive, but their local position is full of beauty ; and as the eye of the beholder falls upon its solitary outline, and he thinks of the history of its latest lords, mentally tracing in the distance the long line of their warrior-race, feelings of deep and compassionate interest can scarcely fail to be awakened. The ruin is visible from a great distance, and the wide extent of country that lies round it is replete with rich and rural loveliness.

Having now finished our sketch of Dilston, we will return to the genealogical history of its ancient lords, and with them, commence our second chapter.

THE
Radcliffes of Dilston and Derwentwater.

CHAPTER II.

SIR GEORGE.—SIR FRANCIS.—SIR EDWARD.—SIR FRANCIS
THE SECOND BARONET OF THE NAME.—A ROYAL MAR-
RIAGE AND HIGHER TITLES.—THE FIRST EARL OF
DERWENTWATER.—EDWARD, THE SECOND EARL, AND
HIS FAMILY.

“ Names are like land-marks
Down the vale of time.”

SIR George, eldest son of Sir Cuthbert Radcliffe, was in his twenty-fourth year when he succeeded to his father's title and estates. He fought under the Earl of Hertford, in Scotland, in the year 1546, and during those sanguinary wars he received from him the honour of knighthood. Sir George Radcliffe was high-sheriff of Northumberland, and Lord Warden of the East Marches. He was united in marriage to Katherine, daughter of Sir William Mallory, of Studley, lived in the time of Henry VIII., Edward VI., Queen Mary, and died in the thirteenth year of Queen Elizabeth's reign. Sir George, like the rest of his family, was a Roman Catholic, and being

of a very stirring temper, as we glance at the times in which he lived, we may have some slight idea of what his course would be. He died in May, 1588, at the age of sixty-seven ; leaving only one son, who succeeded to his title and estates.

Sir Francis, the next heir, was in his twenty-fifth year when his father died ; he married Isabel, daughter of Sir Ralph Grey, of Chillingham. Previous to the marriage of his son, Sir George had settled the Dilston estates upon the heirs male of his family for ever ; but after the attainder and death of the last young earl, in 1715, this settlement was overruled by Government. Sir Francis Radcliffe had a large family, six sons and seven daughters. King James I., who had at that time been sixteen years upon the throne of England, made him a baronet in 1619. The initials F. R. and J. R., on the ancient stone gateway yet standing at Dilston, were most probably those of Sir Francis and his lady. This heir of the Radcliffe honours died Dec. 23rd, 1622, in the fifty-ninth year of his age ; he was interred at Corbridge. The family estates of both Dilston and Derwentwater had devolved upon him, but the latter was chiefly his place of residence : his eldest son died early, and

Edward, his second son, became heir to his estates.

Sir Edward appears to have resided at Dilston during his father's lifetime ; and about a year before he died, at which time he himself would be in his thirty-second year, he executed a deed, by which he took his own life interest out of the estates, and made over the remainder to his children. This deed, which might or might not be then contemplated in its effects, very probably saved those estates from confiscation, when the Parliament proclaimed his own attainder in after-years. He married Elizabeth, daughter of Thomas Barton, Esq., of Whenby, in Yorkshire. Their son and heir was born in 1624. In the following year, Charles I. came to the throne ; and in all the troubles which arose between the King and the Parliament, Sir Edward was a devoted royalist. In 1652, after that unfortunate monarch had died upon the scaffold, his own estates were all declared forfeited to the Commonwealth, and, doubtless, had it not been for the deed which had been executed in 1621, his family would have lost them all. The closing years of his life were shadowed by troubles : he had seen the monarch whom he revered and loved ex-piate upon the scaffold his grand mistake, of wishing to rule the people of this land by his

own will instead of the established laws ; had witnessed what he had no kindly feelings towards, namely, the strong and successful rule of the Protector, and the poor attempt at government by his son Richard ; but he saw also the restoration of royalty in the person of the second Charles. At the time of this restoration of the Stuarts, Sir Edward Radcliffe was seventy-two years of age ; he died in December, 1663, in his seventy-fifth year, and was interred in the family burial place beneath the chapel at Dilston. About five years after his decease the remains of his widow, Dame Elizabeth, were laid to repose by his. They left one son and eight daughters.

Sir Francis (2nd), who was in his thirtieth year when his father died, had married Katherine, eldest daughter of Sir William Fenwick, of Meldon ; she was a widow, her first husband, Henry Lawson, Esq., of Brough Hall, having been slain while fighting in the service of Charles I., at Melton Mowbray, in the year 1644. Sir Francis had five sons and four daughters.* As the family generally, of

* The following are the names of this family, as taken from the stock table in the possession of the Countess Amelia, Edward, afterwards the 2nd Earl ; the Hon. Thomas (who died unmarried) ; the Hon. Francis (who died unmarried) ; the Hon. William (who died in the Church) ; the Hon. Arthur (who died in the Church) ; the four daughters died all in nunneries.

both himself and his lady, had been such devoted adherents to the Stuart cause, now that Charles II. was upon the throne, they were for some time relieved from those restrictions which had been so galling to them during the period of strict Protestant rule ; but it was only for a time. Charles's reign, so loose in many points, so arbitrary in others, so marked by calamity, by plague and fire, was also noted for the perpetually recurring plots and rumours of plots which broke its peace ; and in one of the rumoured conspiracies of the Catholics, to establish Popish supremacy in England, Sir Francis Radcliffe was deeply implicated. He was taken into custody by the Sergeant-at-arms in attendance on the high court of Parliament, but was discharged after giving security in £5,000 for his good behaviour, promising to do nothing prejudicial to the King ; which latter clause certainly appears to have been a burlesque upon the matter, unless they considered giving Charles by a successful Catholic rebellion, a good pretext for avowing himself to be, what he certainly was, namely, a Catholic, would have been prejudicial to him. Sir Francis had, moreover, to promise that he would return to Dilston, and not move five miles from thence without permission. Very

irksome terms these, for the lord of such widely extended lands ; and for the strict adherence to them two of his friends had to be security. These were David Nairn, M.D., a worthy medical man of Newcastle-upon-Tyne ; and Daniel Collingwood, Esq., a gentleman of Middlesex. During this season of perplexity and annoyance, Sir Francis, feeling the full peril of his position, while the evils of attainder were hanging as by a single hair over himself and family, in order to secure the latter as far as he could, in case of his second arrest, made over the whole of his noble estates to a friend of his in Newcastle. This was the noted Ambrose Barnes, a wealthy merchant of unimpeachable integrity ; and certainly a high opinion of the latter must have been well established in the mind of Sir Francis, who thus reposed the whole patrimony of his family in the honour of his friend. The merchant proved true to his trust, and as soon as the troubles of the baronet were blown over, he restored to him again, in their integrity, all the princely possessions of the family.

The head of the house of Radcliffe was at this time a man of marked ambition, and one who was earnestly desirous of increasing the worldly honours of the family from whom he

sprang. At one period the earldom of Sussex had been possessed by a branch of the Radcliffe family, but in the year 1641, the title had become extinct. This earldom he most anxiously wished to get revived again in his own portion of the family tree, and in order to accomplish this, the plan which to him appeared the most feasible, was to unite his son to one of the ladies of the Stuart race. It is possible that many might not see so much honour in an alliance of that kind as he did ; but Sir Francis strove right earnestly to bring about a match between his son and heir, and the daughter of Charles II. and the Duchess of Cleveland. For a time it appeared as if he would be successful, but from some cause or other, the marriage was turned aside, and the Sussex title was bestowed upon another ; this was in the year 1674. The disappointment was a great one, but it was got over ; and still the wish to secure one of these alliances with Charles's family, for his son, was strong in the heart of the Lord of Dilton, and in a few years after he had it gratified by the union of Sir Edward with Lady Mary Tudor, another daughter of the king. This marriage did not take place in her father's lifetime, but nearly three years after ; and titles, though not the coveted one of the Earl-

dom of Sussex, were bestowed upon himself ; King James II., during his brief reign, created him Earl of Derwentwater, Baron Tynedale, and Viscount Radcliffe and Langley.

How often we find that those things on which persons set their minds most determinately, turn out, when accomplished, to be anything rather than those sources of happiness or well-being which the individuals hoped. This marriage was a very unhappy one for his son, who, in the later years of his life, lived quite apart from his wife ; and the union with the Stuart race has been supposed to have exercised a very powerful influence *against* the successors of this the first Earl of Derwentwater. This noble title was gained when Sir Francis was in his sixty-fourth year ; he possessed it during the last eight years of his life, and died in the year 1697, at the age of seventy-two. His remains were interred at Dilston. Already his son's happiness was marred by the inquietudes of his married life ; and three years after his father's decease, the married pair entered into a deed of separation.

Edward, the second earl, was born in the year 1645, and had been nine years married to the Lady Mary Tudor, when his father died ; they had five children, four sons and one

THE RADCLIFFES.

The first, a son, was James, the last earl, whose life-history, so shortened, we shall give as copiously as materials for it and the space we have allow.

The second was the Lady Mary Radcliffe, his daughter. The third was John, who died unmarried; the fourth Hon. Francis Edward, who died unmarried in the year 1715; the fourth son of his elder brother; and before the execution of his brother; and the fifth is the Hon. Charles, of whom, as the last act of the fearful tragedy, the death as the last act of the fearful tragedy, as his death we have a somewhat lengthened account.

The sons, very probably account. The sons, which their parents owing to arms on which their parents owing to almost entirely educated abroad, lived to the countess.

Almost fourteen years apart from the nobleman's death he executed a deed before the suance of a power given and reserved by him on his marriage with this lady; wherein he took a *life-rent* in the freehold estates of his family, leaving the remainder to his children and their *heirs* and assigns for ever. The deed bore date June 24th, 1691. This deed as well as another dated June, 24th, 1712, which will be shortly mentioned, forms a very important feature in the present claim for the restoration of the Radcliffe lands.

Earl Ed-

ward only survived his formal separation from his lady about five years ; he died April 29th, 1705, and was interred in the family vault at Dilston. His countess had been but fourteen years of age when their marriage was arranged. She married again very soon after the death of Earl Francis ; but the gentleman died almost immediately after the marriage ; and she was united to her third husband, James Rooke, Esq., in 1707, although her first spouse had only died in 1705. We shall commence our third chapter with the history of her unfortunate son, whom, as well as her third husband, she outlived ; and, in order to prevent confusion, will here give a brief recapitulation of dates.

	Born.	Died.
Sir Cuthbert	1545
Sir George	1521	1588
Sir Francis	1563	1622
Sir Edward	1590	1663
Earl Francis.....	1624	1697
Earl Edward.....	1645	1705

James Radcliffe, third Earl of Derwentwater.

CHAPTER III.

So noble and kindly, so manly in grace,
Oh, where saw ye ever a winsomer face ?
Like the dew on the hill-sides so gently comes he,
Oh young Lord Derwentwater ! proud welcome give we.

No feud on the Border, or raid by the Tyne,
The gallant young noble is seeking I ween ;
But to send forth rich blessings where'er he has sway,
Comes the Lord of fair Derwent from lands far away.

JAMES, third Earl of Derwentwater, was born in Arlington Street, Piccadilly, London, on the 28th of June, 1689. The previous year had witnessed the abdication of the Roman Catholic monarch, James II, and the elevation to the English throne of William and Mary, his Protestant successors. The sympathies of the Derwentwater family were all with the Catholic Stuart race ; and in his early childhood, the young heir to the earldom was taken over to St. Germain-en-Laye, in order to be educated with the little son of the ex-king and queen, who, with many of their adherents, kept court there. The little prince was about twelve months older than the young heir to the Derwentwater earldom ; and in this way, in their boyish studies and boyish plays, began an attachment, which, during life, was kept unbroken. In addition to this, there was

a tie by blood relationship also. What wonder was it that the young nobleman proved so staunch an adherent to the house of Stuart ?

After the abdication of the ex-king James, the health of the banished monarch failed rapidly ; his daughter Mary, who had succeeded to his throne in England, died ; her husband, William, still remained king, but the adherents of King James determined to make an effort for his restoration to the throne ; and for this purpose, a body of twelve thousand men were raised in France, but the transports intended to carry them to England were shattered by a storm. This disastrous disappointment was too much for the broken health of the exiled monarch, and he died at St. Germain, September 16th, 1701, thirteen years after his deposition. The young prince, his son, was immediately proclaimed king of England by his partisans in France, by the title of James III. The conferring of empty titles are matters easily arranged, but in the kingdom of England itself, a very different successor had been fixed on for the crown. This was the Princess Anne, Electress of Hanover, daughter of Elizabeth, queen of Bohemia, and granddaughter of King James I.

Time passed on, William III. died, and Anne

was placed upon the throne of England in the year 1702. Other years passed away, and meanwhile Edward, the second Earl of Derwentwater, had died, and his son James, then in his sixteenth year, had come to the title ; but he was a stranger to his native land, and he remained so until he became of age in 1710. It was at this period that he came over to pay, for the first time, a visit to his ancestral homes ; and from the very first he impressed all with whom he had any intercourse in England with warm feelings of affection and esteem.

His personal appearance is said to have been rather the reverse of robust ; he was delicate-looking, finely formed, and not tall in stature. The expression of his countenance was benevolent and noble ; the mouth characteristic of great sweetness of disposition, the eyes grey, and the hair light. One who was intimately connected with him speaks of him thus : "He was a man formed by nature to be beloved ; and had a beneficence so universal that he seemed to live for others."

After spending some time at Dilston, with the rich and varied beauty of which he was greatly delighted, the young nobleman passed on to his Cumberland estates, and spent some time there in his romantic home on the Isle of Derwent.

Delighting as he did in all the varieties of Nature's works, he could well appreciate the wild and finely diversified scenes which lay around him there ; the cloud-capt Skiddaw, the breezy moorland, the lovely Derwent, and the shimmering lake, all had charms for him, as he thus, for a season, dwelt in the romantic home of the old lords of the Derwentwater.

The late earl, his father, had entered into a kind of Jacobitical society, originated by the Duke of Norfolk and other Roman Catholic gentlemen, who were attached to the house of Stuart. This society used to meet as a sort of club for convivial amusement, which purpose, however, was but a cover for the political faction who made it their organ. The odd name by which this association was distinguished was that of "The Mayor and Corporation of the Ancient Borough of Walton-de-dale." Almost immediately on his arrival in Cumberland, the young Earl of Derwentwater was constituted a member of this society, and at once installed in the office of mayor for that year ; poor young nobleman ! snares were ready for his feet as soon as ever he set foot in his native land. This society was kept in being during the long course of fifty years, and appears to have come to a close in the year 1740. Their meetings

were held in Cumberland, often at a little rural hostelry or inn.

On the young earl's return to Dilston, he began to plan various improvements in the family mansion, which, adjoining the castle, or Dilston Tower, was (though of ample dimensions) not quite according to his tastes. The fact was, the young noble had a lady in his mind, for whom he thought this ancient and time-honoured dwelling of his father's was not quite modernized or elegant enough ; so he had plans drawn for a suite of splendid apartments which he purposed having added to its western façade ; there was to be a new hall in the centre, a drawing-room, dining-room, and several other apartments, all grand in proportions and elegant in design. He had formed his acquaintance with this young lady while abroad ; she, like himself, had been educated on the continent, and there they had learned to know and love each other. She was the daughter of Sir John and Lady Barbara Webb, of Canford, Dorset, and, like himself, was of a Catholic family ; had been educated in the convent of the Ursuline Nuns, at Paris ; and had frequently met the young English nobleman while visiting at the court of the ex-king James. The young bachelor earl had therefore a strong motive

for losing no time, after his arrival in England, in getting his family mansion put in order. The improvements in the house were begun by the workmen, and there and then he began that course of active, systematic, princely benevolence, which, as long as his young life lasted, ever actuated his heart and directed all his plans. All that he required from the poor or needy was to know where want existed ; and the first impulse of his heart was ever the alleviation of sorrow or distress : whether Catholic or Protestant, all were welcome if they required his aid. What wonder was it that he so speedily became the idol of the people ; self-forgetting, he lived for others, and they blessed him.

After being about two years and a half resident in England, the marriage between himself and the lady of his affections took place : they were united on the 10th of July, 1712 : by the marriage settlement the young earl taking, like his father, a life-rent in the estates. The improvements at Dilston were making steady progress, but by the articles the bride's father was to provide both the residence and table of the married pair for the first two years ; and their first home was at Hatherhope, one of the estates of the Webb family. It is pleasantly

situated, near the village of Fairford, in Gloucestershire.

Sir John Webb was to give his daughter £12,000 as dowry—£5,000 to be paid on the marriage, £5,000 five years afterwards, and £2,000 on the death of himself or his lady. The young earl settled a jointure of £1,000, in rent charge, on his bride, with an additional sum of £100, annually, after the death of her father or mother ; and in addition to this, she was to have an allowance of £300 a year pin-money. When we remember the high value of money in those days, these will appear very handsome sums.

For the portion of any daughter or daughters which might be born, the estate was charged with £12,000, or, in case of their being a son, with £20,000.

At this period Lord Derwentwater was twenty-three years of age ; and he was but twenty-seven when his life was surrendered on the scaffold. Four years !—how brief the period !—and how little those negotiating parties calculated on the tragical events which came so soon, or dreamed that those wide domains which owned the young nobleman as

master would be wrenched from his family.

Besides the estates of Dilston and Derwentwater, the earl possessed the lands and royalties of the barony of Langley ; the manor and lands of Meldon ; the lands of the barony of Wark ; the manor of Newlands ; the manor of Throckley ; the manor of Wittonstall ; the estates of Coastley and Westwood ; Thornborough, Middleton Hall, Swindleston, Utchester, and the manor of Scremerston ; and besides these, various other estates situate in Hexhamshire, Alston Moor, Castlerigg, and much property in the neighbourhood of Keswick.

Of course there is a very great difference in the value of the lands in these days, compared to that which they had in the days gone by ; yet some idea of the nature and extent of those just named may be gathered from a statement given of the rental yielded by them in the year 1816 :—The barony of Langley, £10,806 ; the manor of Meldon, &4,393 ; Swindleston and Utchester estates, £4,062 ; Scremerston manor, £3,681 ; Dilston manor, £3,515 ; Newlands and Wittonstall manors, £2,463 ; Coastley and Westwood estates, £2,086 ; the barony of Wark in A.D. 1819, £1,968 ; Thornborough estate, £1,826 ; the Hexhamshire estates, £1,570 ; Alston Moor manor, £1,463 ;

the Keswick estates, £1,395 ; Middleton Hall, £1,100 ; Throckley manor, £1,001.

In addition to these there were several other estates belonging to the Derwentwater lordship, situated in Northumberland ; as Holy Island, Norham, Ancroft, Tweedmouth, and Lowick.

From the year 1816 up to the present time these estates have marvellously increased in value, and this value was of course proportionably less at the time of the young earl's marriage ; yet we must remember that the value of *money* was proportionably greater at that time.

What a noble patrimony it was ! and one which had not been wrested by wrong-doing from the rights of others. How bright were the auspices under which these young people set out in life ! health, wealth, beauty, high position, large connections, mutual affection, and the esteem and love of all to whom they were known ; they were happy, and desiring to confer happiness. How fearful the reverse which a hasty taking up of a desperate enterprise brought upon it all.

During the two years of their residence at Hatherhope, a little son and heir to their princely domains was born ; he was called

John, after his maternal grandfather, and all things seemed to conspire to increase their felicity.

Very rapidly those two years passed away, and then they prepared to remove to their northern dwelling. It was towards the end of the summer of the year 1714, when the noble woods of Dilston were gaining the rich hues of their autumn foliage, that the young earl and countess first took up their home residence amongst them ; to the unspeakable delight of the numerous tenantry, by whom he was already so enthusiastically loved. The countess was at that time only in her twenty-second year, and, full of life and spirits, was prepared to drink with rejoicing of the cup of happiness that was before them. They had not gone to their country residence, to live in seclusion there : far from it ; for their course of open-hearted hospitality to all ranks, and their systematic noble liberality to the poor has passed into a proverb around those lands which were soon deprived both of it and them.

Their society was courted by all the surrounding nobles and gentry, so that in the pleasant interchange of friendly visits with them, and in the sweets of quiet domestic happiness, the last months of the year closed

in. And now Christmas was approaching—Christmas, which in the north of England in the olden time was so much thought of, and so much made of. Abundant was the store of provisions laid in, for they were to be dispensed liberally to both rich and poor. No wonder that it was a season looked forward to with joy by the people round them, and no wonder that it was joyously anticipated by themselves.

Those who have seen the beautiful locality of Dilston, its wide-spread prospects, its rich forest scenery, its verdant glades, its rushing river, forming here and there in the winter season wild cascades and rapid torrents, as it foams along amid its rocky channel, or glides gently and beautifully amid the green sward or beneath the overhanging trees, may fancy how it looked at the merry Christmas time, when every forest branch was laden with its snowy burden, showing the magnificent outline of the plantations of firs, the sturdy strength of the oaks and beeches, the glorious forms of the chestnuts and sycamores, all coated alike with dazzling whiteness, a whiteness which to the mind of the stay-at-home citizen, who has never seen a forest in its winter garb, only suggests the idea of a vast, wearying, dull uniformity; but which those who have been

privileged to gaze upon such scenes, and have an eye for nature's loveliness and a heart to appreciate the Maker's works, know to present scenes of rich and glorious chiaroscuro, such as is rarely, apart from it, to be met with in this world of ours. Here and there, however, even in the depth of winter, there are breakings in of warmer colouring. The fluttering flocks of the wild birds know well where the brilliant scarlet of the berries lies—the holly, the rowan tree, or the hawthorn; and they flash and flutter through and through the branches, till they bring them out all fresh in their gorgeous beauty from amid the sea of whiteness. How pure the air was, how cheering in the sunshine, how bracing in the frosty days, and how brightly burned the Christmas fires in saloon and hall, when the tempests called for closed doors and in-door comfort.

That winter passed away—a winter long to be remembered by noble and by peasant; by the lordly guests, who shared the genial hospitality of the earl and countess in the sumptuous apartments; and by the poor passing wayfarer, who, soon learning what manner of welcoming he would find at Dilston, came far out of his way to be there refreshed and cheered.

But the winter passed away; the snows

melted, and the frosts gave, and the renovated earth brake forth again into bud and beauty ; and the primrose and blue violet opened in the woods, and the daisies starred the greensward ; and the meadow-lands, and the furs and hollies, the laurels and other evergreens, gleamed brightly in the spring sunshine ; and amid the budding branches of the forest-trees, the wild birds warbled in their glad retreat. How beautiful it was ! Oh *how* beautiful they would have thought it, had they known it was the *last* spring they would ever spend there together ! The early spring-time ushered in the month of May, with its rich flushings of the glorious flowers of the forest, its pure, delicious sweetness, its entrancing melody from the songs of the wild birds, its rich efflorescence of all those indescribable hopes which the lovely dawning of summer seems to awaken in every breast ; by-and-by came the fervid heats of June, the new-mown hay, the fragrant hawthorn, and then drew on the twenty-eighth of June, the birthday of the earl. It was the year 1715, and he was just twenty-six ; it was the very bloom of manhood, the very heyday of life with him ; and with what joy the birthday of such a landlord would be kept by his tenantry we need not be told. Perhaps there is scarcely

left upon record an account of more enthusiastic affection ever having been manifested by the people of any domain for their liege lord, than that of those far-extended lands. The time of birthday rejoicings passed over, and all went on again in order ; the rich lands were soon waving with grain for the coming harvest ; July passed over, and August came, making the precious grain ready for the reaper's sickle. No man could delight more in rural scenery and sports and occupations, than did Lord Derwentwater ; and from all accounts that are left to us, his lady found their home in the North as congenial to her tastes as he did. Would that they had been let alone in the influential sphere they loved and graced so well ; but it was not so. For the cause of the terrible change which soon came, we must refer to the coming chapter.

James Radcliffe, third Earl of Derwentwater.

CHAPTER IV.

THE RISE OF THE REBELLION IN 1715.

Oh ! wae worth the day when the men from the highlands,
Awoke by the Tyneside the murmur of war ;
And the chiefs and their vassals called forth from their home
lands,
Were marched 'neath the rebels sad standard afar.

IN the year 1714, although George, the Elector of Hanover, succeeded peacefully to the throne of England, as King George I., in the minds of those over whom he had come to rule there was anything but thoughts of peace towards him and his government ; and amongst the Scottish nobles a fierce spirit of rebellion was seething and working, soon to break out in a desperate and sanguinary struggle. The Earl of Mar was one of these disaffected noblemen ; and on the 1st of August, 1715, being the anniversary of the king's accession to the throne ; to do honour *apparently* to the day, but in point of fact to throw the government off its guard, he attended at the

court amongst the rest of the nobility ; although, behind the scenes, he was at the very head and front of those who were conspiring to hurl the monarch from the throne. The day passed over with all the ceremonial of court etiquette in those times ; and at its close this nobleman in disguise and in company with Lieutenant General Hamilton and one or two others, took ship, some say for Newcastle, on his way to Scotland ; and others affirm that he sailed direct for that country, there to concoct, with others of the disaffected, those schemes which in so short a time wrought such ruin in many a home.

On the 16th of August, in a council held among them, they determined on beginning what they hoped, would prove a general rising in England in favour of James Stuart, calculating on powerful aid and co-operation from the king of France ; and at once, though with somewhat premature haste, they proclaimed the former in Scotland by the title of James VIII. It is said that during this month of August, the Earl of Mar had in one form or other received from the continent £100,000, as funds by which to carry out the plans which had been formed, James Stuart having placed him at the head of his affairs in Scotland. During

the reign of Queen Anne, Mar had been secretary of state in that country, but being displaced from his office by King George, he had in revenge given himself entirely over to the cause of the Stuarts. However much this nobleman may have been skilled as a minister of state affairs, he appears to have been quite unequal to the duties of generalissimo of an army ; and had he been bold, rapid, and energetic enough, it is possible that the cause he had espoused might have proved successful. The English government very speedily got all the intelligence they needed, respecting the parties implicated in the intended rebellion ; and numbers of the disaffected nobility and gentlemen, both in England and Scotland, were at once arrested. Amongst these were the Earls of Hume, Wigtown, and Kinnoul, Lord Deskforth, Mr. Lockhart, of Carnwath, and Mr. Hume, of Whitfield, who were all placed in Edinburgh Castle. In various parts of England also many noblemen and gentlemen were arrested, and some who had learned that they also were marked for arrests quitted their homes, in order if possible to preserve their liberty. It was about this time, or a little before it, that Charles Radcliffe came over from the continent on a visit to his brother ; and

certainly it is more than probable that he came also as a messenger from James to his party here.

One account says, that when the young earl heard that he was a marked man, he went immediately to a neighbouring justice of the peace, and asked what was laid to his charge ; in his dying declarations he gave solemn testimony that up to this time and for some time after it, he was not concerned at all in the affairs that were on foot ; and that when he did hear of them, he was so convinced that there would be no such rise in England as they expected, that he saw nothing but madness in their design. The justice, it seems, gave him no satisfactory reply to his inquiry ; and in consequence of this, he left Dilston, and for a while went to sojourn with Sir Marmaduke Constable, in company with his brother Charles ; Sir Marmaduke himself, however, was very soon captured, and the young earl sought shelter for a season in the cottage of one of the attached dependants of his family. The knowledge of the arrests being pending, appears to have been the moving agency in throwing the fetters of the conspiracy round him ; for though of unflinching courage in any undertaking which he espoused, unthinking rashness, or headlong

impulse, formed no part of his character. Several other concurring circumstances appear to have united in inducing the resolution which ultimately he arrived at, and which brought so

Amongst other records which are left of this much sorrow to him and his.

time of excitement in the kingdom, there is a letter extant from the Earl of Mar to his tenantry at Kildrummy, dated September 9th, in which he called upon them all to muster in arms ; but there was no movement whatever of that kind, on the part of the Earl of Derwentwater ; and it is very probable that this was about the period at which he left his home. Earnestly loving, as he did, the cause of the house of Stuart, and gifted, as he most assuredly was, with that steadfast moral courage with which so many refined and gentle minds can abide equally the shock of war or the insidious attacks of quiet suffering, he was gifted also with an amount of wisdom, which many of the leaders concerned in this headlong enterprise appear to have lacked ; he saw its utter rashness, and foresaw the amount of misery which it was likely to bring upon the land ; it was not, he considered, likely to restore what he, with many others at that time, thought to be the right, as regarded the reigning family of

the kingdom ; but it was likely, and he considered far more than likely, to bring on a train of frightful evils over a land that was then at peace. Thus he hesitated, and as long as he could do so, he kept aloof from it. Already, however, the soldiers were upon his own track, and he left the humble cottage of his tenant, and sought shelter among the wild fastnesses of the Shaftoe Crags ; and at one time, while there, it was only by rapidly descending one of the dangerous precipices, that he escaped them. A terrible reverse this, for one whose delight it had been to minister to the well-being of all around him. There is a fanciful tradition left in the neighbourhood of Dils-ton, which, from the romance attaching to it, will very likely long remain, but which we can scarce deem worthy of any reliance. In this it is stated that Lord Derwentwater maintained a correspondence with his friends at this time, by means of letters deposited in a hollow stone, called by the people generally "The fairy stone," but which was in truth an old Roman altar, situated a little to the west of Hexham. These letters the tradition affirms to have been brought and deposited by a little boy, very beautifully dressed in green (the fairy colour), while such was the superstition of the people at that

period, that although he was seen and noticed frequently, they dared on no account intermeddle with his doings, as being a messenger from fairy land. Those who were in pursuit of the earl would not be very likely to be long withheld by such scruples however, neither would intelligence so deposited be safe ; so there is little likelihood that either the earl or his friends would trust it there.

Like the Avenal family, immortalized by Sir Walter Scott, and like most of those families who trace their ancestry far into the days that are by-gone, the Radcliffes of Dilston and Derwentwater had their traditions of some unearthly being who was wont to visit them upon occasions of any great peril or impending calamity ; and there is a wild legend left concerning this period of their history, amongst the many which pass current in the neighbourhoods of their family estates. It is said that during this time of concealment the young earl, wearied with wandering alone in the depths of the forest, and wearied in mind also with the conflicting thoughts to which his position day by day continually gave rise, lay down awhile to rest in the bright moonlight upon a bank overhanging the Dyvelswater and Nunsburgh woods,

but secluded from any likelihood of intrusion by its retired situation.

His circumstances were trying in the extreme, and the indecision of his mind made them doubly distressing ; could he have seen clearly what was the line of duty, it would have been a relief ; he could not make up his mind to enter into what appeared to him a foolish and erring enterprise, and yet it was in projection for the benefit of a family to whom, according to his views, he owed entire allegiance, and to whom he was bound by the strongest ties of friendship and affection. He was even now placed in circumstances of imminent peril, although as yet unconnected with it ; and the latter fact could not but tend very greatly to break down the barriers which sober thought were raising against his joining it. While resting thus upon the damp earth in the calm, sweet moonlight, and weighing all matters for and against the enterprise, he became aware of the presence of a female figure robed in grey, but with her features nearly hidden by a cowl. Struck with astonishment, it does not appear that the earl spoke to this mysterious visitant at all ; but presenting him with a crucifix, she told him that "instead of being there, he ought to have been in arms for his king," and



declared that the gift she had bestowed upon him would secure him from sword or bullet, no matter what dangers he might be encompassed by in his service to him. Thus saying she disappeared.

Such is the legend left of this matter ; and many a supposition has been offered respecting the nature, character, and person of the visitor ; but who she was and what she was is unknown, they are but idle and groundless conjectures. Some have asserted that it was Lady Derwent-water herself,—a most unlikely thing, as every movement, every tone of the voice would have betrayed her ; others have said that it was some mere political agent, who had assumed the dress as calculating to make her message more impressive ; others that both the dress and the errand looked like that of the inhabitant of some neighbouring convent. It matters little who it was ; one thing, however, is certain, namely, that she made a terrible omission in her promise of immunity from danger ; for *no mention was made of the scaffold or the axe.*

At this period the laws against the Catholics in England were very stringent ; it was the period of a very powerful struggle on the nation's part, to throw off the Stuarts and the

Pope of Rome : this had been effected in the dismission of King James II., and the point now striven for by the Reformed party was to keep off that which had been thrown off.

Amongst other laws felt to be very greivous by the Catholic gentlemen, was one forbidding any horses to be kept by them of such size and training as made them fit for military service ; and for some time the "dapple grey," so often spoken of in the ancient ballads as being Lord Derwentwater's favourite steed, had been confided to a faithful friend, in order to secure him from the grasp of the government commissioners. Laws such as these were felt to be very irksome : how could they be otherwise ? and we can scarce wonder that those who were so sternly ruled should wish to have once more the power in their own hands, particularly when they thought that both religion and duty were urging them to struggle for it.

Had Lord Derwentwater been, as he was accused of being, a promoter of this rise, it cannot be doubted for a moment that he would have secured funds for such an emergency as this, and also have had his numerous tenantry so organized as to have been able to call them out whenever he required their services ; but nothing whatever of this sort was done ; and

now when an embargo was so unexpectedly laid upon their resources, the ready money which the countess and he possessed was speedily exhausted. The jewels of Lady Derwentwater were parted with ; the poultry, and such of the stock upon the lands of Dilston as they dared dispose of, were sold ; the peasant girls about the place being often employed by her ladyship in these matters* as messengers and merchants.

Very various and widely contrasted are the opinions which have been expressed respecting Lady Derwentwater's conduct at this juncture. She has been accused of urging her husband far too strongly to join in the rebellion, against the light of a superior judgment ; and yet by some it has been declared that she besought him to remain at home, rather than engage in so perilous an enterprise. One thing, however, stands firmly in her favour, and that is, that to the last, the earl, though deploring the infatuation which had led him to act as he had done, though he had done it for the best, ever spoke of *her* as of one who had been a blessing to him : while on the other hand, all that is

* A great many valuable heirlooms were sent from the castle at this time, to keep them safe till the jeopardy was over ; and great part of these are now in the possession of the Countess Amelia, who is claiming the estates of her ancestors.

said of her having by upbraidings and taunts urged him into it, rests upon the doubtful veracity of ballads and traditions.

There is no doubt whatever that the attachment of the countess both to the cause of the Stuarts, and to Catholicism, was quite as ardent as was her lord's ; but it is probable that in her case it was not tempered by those motives for deliberation which caused so much hesitancy in him. Like the earl, she was the child of Catholic parents ; like him, had been reared and educated abroad, had lived on terms of intimacy with the ex-king James and his queen, knew their son, and now looked up to him as her rightful sovereign, just as he did ; but she did not know so well as he did, the little hold which the Stuart family had upon the affections of the English generally. There had long been a terrible and growing repugnance in English hearts to the coercing spirit of the Stuart rule ; and the yoke they had thrown from them they had no wish to take again. The Protestant religion was becoming increasingly dear to them as a people ; and they were prepared to stand by the throne and family, who were pledged to secure its continuance. This young nobleman, knowing what he did of the English people, could not calculate, as the Scottish

Jacobite lords seem to have done, on anything like a general rise in England.

Whether, however, he had at last arrived at his decision or not is not known, but the earl became at length anxious for an interview with his lady, and in order to do this he ventured on a secret visit to his home. The ballad-mongers of the day and some of the traditions yet held in the country, have asserted that the lady taunted him with hiding in hovels, while his peers were preparing to fight for his religion and his king, and that throwing down her fan at his feet, she told him to take it and give his sword to her ; the whole tenour of this account, however, runs counter to the testimony which the earl gave at all times of his young wife, and cannot be believed ; savouring far too strongly of the ballad style, and far too little of the general tone of her character. The great probability is, that his return home was in consequence of his having really arrived at the conclusion, that taking all things into consideration, no other way was open for him save the one of espousing the Stuart cause in this his time of emergency—little as he saw of any probability of the attempt to be made, doing any good ; and that very evening he took measures to join the rebellion.

The mental as well as moral constitutions of different individuals differ widely ; some on the first presentation of an idea or a project, embrace it at once, on the impulse of the moment ; but let a counter idea or counter project be pressed upon their attention, and immediately they are turned round ; being just as ready to act in conjunction with the one as with the other. This was not by any means the case with Lord Derwentwater ; he had weighed the matter thoroughly and hesitated long, but now he was decided. If we look back upon the history of his long ancestral line, we shall find nothing there like a vacillating or time-serving character among them, and certainly there was nothing of this in either the last young earl or his brother Charles. It is probable that none of the males of that ancient race had ever possessed a gentler or more beautiful spirit than did the former ; like the early troubadours, he was as gentle in nature as he was valiant in war ; and when at last, yielding to a combination of influences, influences of the far back past as well as of the pressing present, he felt as it were forced into a line of conduct which to his sober judgment could not but appear foolhardy and desperate, he looked no more to the other side of the picture, but deter-

mined to do what he could to aid in the cause he had espoused. The object of the great political movement, which the governing powers of the land called rebellion, he called loyalty ; the only cause of his hesitation had been, that he did not think the circumstances of the times justified it or made it practicable.

There was a muster made at once of all such arms and accoutrements as could be found in either the castle or mansion ; intimation of his intentions was sent to such of the neighbouring gentlemen as he knew to be similarly minded with himself as to the claim of the Stuarts upon the throne ; and orders were issued to all the retainers or tenantry about the place, to be in readiness to attend him on the following day.

As the evening drew on, he crossed the valley to Beaufront, the fine old residence of the Errington family, who had long been popularly called the chiefs of Beaufront ; a strict hereditary friendship, so to speak, having perhaps for ages united the two families, as generation after generation had been born. Mr. Errington, like himself, had anything but a favourable opinion as regarded any likelihood of a prosperous issue of the projected movement, and endeavoured as far as possible to dissuade the young Earl from

it. Had this visit been paid a little earlier, it is possible that many of the tragic events which followed might have been averted ; but as it was, the advice was of no avail. In the earnest conversation that engrossed their minds, Mr. Errington led Lord Derwentwater to the height from which a fair view could be had of the beautiful domain of Dilston, and asked him how he could bear to risk all that, in such a hopeless struggle. The earl had been long in seeing the possessions of his family here ; but, from the first day he had spent at Dilston, it had won his heart. Had the locality been made for him, it could not have been more congenial with his taste ; and had he been made for it, he could scarcely have seemed more fit to be its master ; in addition to all this suitableness, it had all the claims of an ancient and noble heritage upon his heart. He saw it all, all that his friend could urge, but turned away in bitterness, saying, "It is now too late." Both gentlemen joined the rebellion, but the issue was not so fatal to the "chief of Beaufront" as to the earl.

On the young nobleman's return to Dilston, after completing all the few arrangements that could be made there, the whole of the inmates of the house were assembled in the chapel, for

the performance of Divine worship according to the rites of the Church with which they were connected ; and thus closed the last day the unfortunate Lord of Derwentwater ever spent at Dilston.


We may wonder what were now the feelings of the young countess, as this matter of which she had been so sanguine was being carried into effect ; whether the strong fervour of her religious and loyal enthusiasm carried her through or not, we cannot tell : it is more than likely, considering the strong attachment which united this young couple, that her woman's heart failed her, and that in tears her eyes closed at last on that eventful night.

CHAPTER V.

PROGRESS OF THE REBELLION.

Young Radcliffe mounts his dapple-grey,
But not to course with hound and horn,
Oh ! Dilston Tower !—thy Lord to-day,
Goes forth ;—but never to return.

Friend of the friendless ! where wend'st thou ?
The Stuart's rule, hath passed and gone,
Before thee lies dread Preston's woe,
The bar, the scaffold, and the bourne.

N the morrow, by break of day, there was a general mustering in the court-yard of the old castle at Dilston, that famous old tower which in the early days had so often echoed to the prancing of the war steeds, and the heavy tread of the mailed knights as they went forth to the foray or mustered in aid of the ruling monarch against his foes. Years had passed away, however, since such echoes had been heard there ; and on this memorable morning, had the young earl been, as was cruelly urged upon his trial, one of the chief abettors and instruments in the rising, there would have been a gathering of horsemen from amongst all his wide-spread tenantry ; but as it was, there was but comparatively speaking a handful of men going forth on a hopeless errand. It was true that they had had tidings of the army mus-

tering under the Earl of Mar in Scotland, and that a portion of that army might be expected speedily to join them ; they had heard also of the great promises of reinforcement from France, but, (though they knew it not then) they were but going forth, to meet their doom. Nothing was effected by their enterprise, either in Scotland or England ; but the precious lives of men, and an enormous sum of money most lamentably thrown away.

Such of the neighbouring gentlemen as were of their party assembled with them, bringing such of their dependants as they could muster and mount ; all the carriage and farm horses that could be got were put in requisition, and very soon the little company were in readiness to move.

It is said that the Countess of Derwentwater, as the earl prepared to mount, threw her arms round him, and entreated him with tears to give it up, as a terrible foreboding of the issue of it all fell upon her heart. It was, however, as her lord had said, " too late ;" he was fairly pledged in the matter, and could not now get free. After an agonizing farewell, they parted. The young lord mounted the favourite grey, which had been brought him for the occasion, and the little

party set forward, headed by the Earl of Derwentwater and his brother.

There have often been observed remarkable instances of the grief manifested by favourite animals, on the occasion of any calamity about to befall those to whom they are attached ; and which cannot be explained by any principles yet known to us. There have also been, in times not very far past, many individuals who, from an affectation of more enlightened views than their neighbours, have designated as superstition and fancy, many matters which a more advanced state of science has shown to be real facts, although as yet, many of them are by no means clearly explained to us ; and these singular instincts, if, for want of a fitter name, we may so call them, of the brute creation, are amongst these mysteries. They are known, talked of, wondered at, often pondered over, but not understood. Had the favourite dog of the earl known certainly that never more would his kind and gentle master cross the threshold of his home, he could not have manifested a bitterer grief than he did ; and had the gallant steed of the unfortunate young noble known to what a fate he was to bear him, he could not have more restively withstood his efforts to make him set forward.

The few adherents of the Stuarts who had already met together in Northumberland were under the leadership of Mr Forster, a Jacobite gentleman but not a Catholic ; and on this day, the sixth of October, he, with his little company of about twenty men, were joined by the Derwentwater party at the Waterfalls, near Hexham. After crossing the Tyne, near that place, they proceeded to Rothbury and Warkworth, gathering a few adherents as they went. Here they joined about thirty more, who had been assembled by Lord Widdrington and his brothers at these places. Mr. Forster, in disguise, then proclaimed James III. as king of these realms, with sound of trumpet and other formalities, and gave the clergyman of the church, orders to pray for James as king, for Mary the queen mother, and the other branches of her royal family.

The good clergyman, however, declined acting after this fashion, and set off for Newcastle instead ; but a substitute was soon got for him, in the person of Mr. Buxton, one of the prince's chaplains, who officiated in his place.

At this period, the now noble and magnificent castle at Alnwick was in a ruinous condition ; it was in the possession of the Duke of

Somerset, but here again as at Warkworth James III. was proclaimed.

Gradually gathering as they went, they next passed on to Morpeth, and as they entered it they numbered about three hundred men. With all our facilities for rapid travelling, and the swift communication of intelligence, whatchild's play does all this seem ! and yet, even in this mad enterprise, volunteers continued to join them. Had such an outbreak been in these days, how speedily would the insurgents have been housed in the Tower of London, and the blood so lamentably shed at Preston been in great part saved.

Newcastle-upon-Tyne was the next place which the rebel party thought to enter, having, as they were well aware, influential partisans within its walls ; but the authorities there were much too quick in their movements for them, information of the doings of this party at Warkworth and other places having in all probability been given them by the clergyman whose pulpit they had so unceremoniously used. When they reached Newcastle, they found that all the town gates had been secured, save the one which led on to the Tyne Bridge, and the one which led to Pandon ; the others being not only locked, but built up with brick and mortar ; while caanon

had been planted to guard the outlet to Pandon. All the militia and trainbands had been mustered on Killingworth Moor, and then marched into the town. The Earl of Scarborough, who was at this time lord lieutenant of the county, with many of the gentry residing near Newcastle, mounted such of their neighbours as they were able on horse-back, and came into the town to assist in its defence, while such of the inhabitants as were known to cherish Jacobite principles were made secure. As a guard for the town, a body of seven hundred volunteers were armed, and the keelmen offered a body of seven hundred more, to be ready at half an hour's warning. How greatly had the rebels been mistaken, in the general feeling which the people cherished towards the Stuart family !

They soon found that Newcastle was no place for them, and they therefore returned to Hexham. A very sore disappointment was this ; and weary with their fruitless journey and saddened by their clouded hopes, after their unexpected retrograding march ; they once more entered the old market-place of the town. Night was now at hand, and the greater part of their number rested there upon their arms. Lord Derwentwater, it is said, passed the night at the old farm-mansion of the Staward Peel, a little

more than five miles from Dilston, and with what kind of feelings we may easily conjecture.

Within the last few weeks, in addition to the forces who were under the Earl of Mar in Scotland, there had been a gathering of troops under Lord Kenmure in the south-west ; and by this time his company, which amounted to about two hundred horsemen, were marching by Hawick and Jedburgh to cross the borders for Rothbury. The forces headed by Forster, after remaining three days at Hexham, marched on to Rothbury and joined them. In Lord Kenmure's company were the Lords Nithsdale, Carnwath, and Wintoun, with their dependents. This union of troops was on the 19th of the month ; they then marched to Kelso, in order to join a large body of infantry commanded by Brigadier Macintosh, which the Earl of Mar had appointed them as a reinforcement ; they amounted to fourteen hundred men, and the junction was effected on the 22nd.

In the meantime General Carpenter had come to the relief of Newcastle, but finding it so ably defended, he pressed on with his wearied troops across the borders in pursuit of the rebels. Having intelligence of this, they moved on from Kelso to Jedburgh, but already differences

in opinion among the officers began to be seriously felt in weakening counsel. They remained two days here, and then passed on westward to Hawick. Here the earl, his brother, and several of the other officers were proudly entertained by the Duchess of Buccleuch ; it was a gleam of sunshine, bright and beautiful, but only prefacing a coming storm. General Carpenter and his troops were following up the game steadily ; and soon after they vacated the town of Jedburgh, he and his men entered it.

The chief cause of dispute among the officers of the Prince's army was the ground on which to make a stand against King George's troops ; the Earl of Derwentwater and most of the Scottish leaders considering that the wisest plan would be to concentrate their forces in Scotland, subjugate it to the power of the prince they fought for, and then turn their attention to England. This, which certainly seems to have been their wisest policy, was overruled ; and instead of that, their march was directed into Lancashire, having had assurances from some of their friends there that twenty thousand men were ready in that county to join them. This decision, however, was not unanimous ; for a body of five hundred of the infantry under

Macintosh, in defiance of his order, marched northward instead.

On the 1st of November, Mr. Forster produced a general's commission which he had received from the Earl of Mar ; and the day following, he and his troops, now amounting to seventeen hundred men, entered Penrith in Cumberland. Here again he proclaimed James III. as the rightful monarch of these lands, and addressing the people, declared that he and his forces "were there for the security of the true High Church of England." As we are writing a memoir of the Earl of Derwentwater and not a history of the rebellion, we must pass over most part of the records of the latter. The fortune of the Prince's army after this was of a very varying character ; there were numerous desertions of influential gentlemen as they passed on through Westmoreland ; for they found that already many of the leading Catholics had been arrested, and that thus those on whose support they had been relying had proved unable to save themselves. In spite of all their endeavours to look at the bright side of things as regarded their own cause, even the leaders of the Prince's party had many misgivings as they advanced into Lancashire, for they found the fallacy of their hopes with respect to the mighty reinforce-

ment they had expected there. As they drew near to Lancaster however, matters appeared a little brighter ; for the numbers of volunteers increased greatly, and as they entered the town they made a very imposing appearance.

Two hundred of the English noblemen and gentlemen with their followers on horseback came first ; these were followed by the Highland infantry, attired in their showy and picturesque costume ; these again by two hundred of the Lowland Scottish ; and these by the body of Scottish horse. How little did their bright show of banners flying, and the stirring strains of their martial music, tell of the dismal shadow that was so soon to descend upon them all !

Very pleasant quarters had the Jacobite troops in this noted and time-honoured capital ; James was of course proclaimed there, and in the churches by their orders the names of the Stuart line were substituted for those of the Hanoverian succession in the prayers. On the 9th of November, the Earl of Derwentwater with the rest of the Northumbrian horse pushed on to Preston, at which place they arrived about eleven at night ; the infantry entered it on the morning following ; reinforcements awaited them here, to the amount of twelve hundred men : the whole force under General Forster

now numbering about three thousand two hundred.

Strangely blinded by a vain and foolish overconfidence must these troops of the Prince's have been, to have cherished all along the absurd idea that the forces of the House of Brunswick would not dare to face them ; but while they were pleasing themselves with the idle notion, the troops of King George were even then from many quarters gathering closely round. As rapidly as they could be brought, General Carpenter was bringing his forces again from Scotland, in order to unite them with those of General Willes and Sir Henry Houghton ; and on the 11th of November Lord Derwentwater learned by a letter from a friend that they were rapidly approaching Preston. This was a terrible time in which to find out the utter incapacity of their leader ; but they did find it then and there, now that the emergency had come ; it was evident that General Forster was utterly unfit for his position. The town needed fortifying : but confounded with the danger, he manifested no capability of planning its defence ; and what he did do was done imperfectly : nevertheless, barricades were raised, and in this work Lord Derwentwater and others of the nobles and

gentlemen, throwing off their coats, worked like the common soldiers ; and when they were completed they were protected by planting cannon by each.

General Willes arrived at Preston a little after mid-day, and dividing his troops into two parties, he instantly attacked two of the barricades ; the contests at these places were terrible, and continued till after midnight ; the loss on the part of General Willes's army was very great, and as they retired they set fire to the houses between them and the barricades. Lieutenant-General Carpenter had not yet come up ; the following day was Sunday, and a fearful Sabbath it was for the beleaguered town, encompassed as it was, partly with burning outposts and partly with an armed host. About eleven o'clock in the forenoon of that eventful day, the troops of General Carpenter arrived ; and in consequence of General Forster having neglected to secure the bridge and a narrow pass leading from it into the town, the situation of the besieged was now desperate indeed ; still the forces within very greatly exceeded those without, and but for the want of military skill and steadfast courage in their leader, the Jacobite army might even then have redeemed matters. Most of the Scottish troops were for

sallying out sword in hand, and fighting their way through their besiegers ; and with them Charles Radcliffe, the brother of the earl, concurred heartily : many of the common soldiers at this time appear to have deserted, and concealed themselves amongst the peace-keeping people of the town ; and while varying opinions were distracting counsel, General Forster, acting independently of and unknown to all, sent a messenger to General Willes to propose a capitulation. The reply of General Willes was, that if they would surrender at discretion, he would protect them from his soldiery. It was with feelings of bitter indignation that the besieged army learned all this ; and it is said that if General Forster had appeared among them, there would have been little chance of his escaping their vengeance.

One of the old ballads thus alludes to the general feeling against him :—

“ Lord Derwentwater to Forster said
‘ Thou hast ruined the cause and all betrayed ;
For thou did’st swear to stand our friend,
But hast turned traitor in the end.’ ”

General Willes had required hostages as the condition of delay while the besieged party made up their minds to the terms he offered ; and when this was known, the Earl of Der-

wentwater offered himself as one, Colonel Macintosh being the other.

The fight, the capitulation, and the giving of the hostages had all taken place between the noon of Saturday and the Sunday night, and early on Monday morning Forster sent to say they would accept the conditions General Willes offered. The fruits of all this was that at seven o'clock on the Monday morning the troops of George I. entered Preston ; the surrendering army were assembled in the market place, and there they delivered up their arms and became prisoners to an army less in numbers considerably than they were themselves.

Thus closed in these lands the rebellion of 1715, against the House of Hanover ; but not thus the lamentable effects of it on the misguided men who had been engaged in it. These effects lie like a dreary trail across the page of England's history, while the memory of the sufferers is cherished with compassionate affection.

CHAPTER VI.

REMOVAL OF PRISONERS.—OLD LONDON.—TRIAL AND SENTENCE.

*Chiefs of the lordly lines,
Heads of the noble races ;
Bound with the captor's chains,
Held to a felon's paces.*

A DISMAL day for many families, both in England and Scotland, was the 13th day of November, A.D. 1715. It was the beginning of one of the hardest winters that had been known for many years in England ; and the intensity of the cold greatly aggravated the sufferings of the unhappy captives who that day surrendered their arms and liberty to the generals of the royal troops.

It is said that of these, the number of the Scottish prisoners amounted to a thousand men of the lower ranks, and besides these there were one hundred and forty-three of the nobles and gentlemen. It was no doubt a very difficult thing for the two generals to dispose of so great a number of captives ; and in various ways they seem to have tried to find them places. Lord Charles Murray, with several

gentlemen of distinguished families and nearly five hundred of their followers, were taken to Chester Castle. A great number were placed in one of the churches at Preston, till word could be received from London for their future disposal. Two hundred and thirty men were sent off to Lancaster Castle, and others to different places of safety in Lancashire. Many of these poor prisoners died from the severity of the weather, many of fever ; some were eventually sent out on sentence of transportation to the plantations in America ; and six gentlemen, who it was found had borne commissions previously as officers in the English army, were shot as deserters.

It was not till the early part of December that the Earl of Derwentwater and his companions in affliction were removed from Preston, and then he and two hundred others were despatched on horseback, under a strong escort of Lumley's regiment of horse, for London. Through Cheshire, Staffordshire, Worcestershire, Warwickshire, and on towards Hertfordshire, journeyed the dismal cavalcade ; and, when they reached Barnet, the earl is said to have inquired of the officer in command, if he knew in what manner they would be disposed of when they arrived in London. The

reply was that it was probable that he and the other noblemen would be sent to the Tower, and the remainder of the prisoners distributed in the different prisons. "There is one house that would hold us all," said the earl sadly, "and we have the best title to it, of any people in England." The officer inquired very naturally what house that was. "Bethlehem Hospital," was the agonized and bitter reply.

They reached London on the 9th of December ; in little more than a fortnight it would be Christmas ; and as the unfortunate young nobleman looked round him, and his eye rested either on the guard of mounted dragoons that surrounded their company, or on the long cavalcade of captives of which he formed a part, how terrible must have appeared the contrast between this and the previous winter, when possessed of all that could make life desirable or happy, he had been preparing, as far as in him lay, to make the coming Christmas a season of happiness to all within the sphere of his influence at Dilston ; how bright, but how brief, the season of his enjoyment there had been !

At Highgate, a force of three hundred foot, and one hundred and twenty of the horse guards, under the command of Major-General Tatton, met them ; and then, preparatory to

their making their entry into London, the arms of every captive were pinioned, and his horse led by one of the foot soldiers with fixed bayonet ; they were separated into four divisions, each company being preceded by a party of the horse guards with swords drawn. At the head of the fourth of these divisions rode the Earl of Derwentwater, with the other English noblemen ; and the whole cortege was brought up with a company of the mounted dragoons.

The sight-seers of London witnessed the sight of that day with very mingled and conflicting feelings ; and perhaps it was well for the preservation of the peace that the guard was made so strong ; thousands and thousands gazed on them as they rode through what were at that time the principal streets of the city. But it was a very different London in the year 1715 to what it is in these days ; and where there is now found the densest population of populous London, there were then green fields and hawthorn hedges. London was being rebuilt after the great fire in the time of Charles II. ; the fine old edifices which had been burnt down were being reared again with an added beauty, a beauty which had not yet got dimmed by the London smoke which has become a pro-

verb. Many of what are now called the "old thoroughfares" were then new, fresh planned and decorated with their rows of houses (now ancient and of sombre hue), clean and clear and bright, with the light hues of their fresh mortar yet fresh upon them. Some, nay not a few, of the inhabitants who now looked out of their windows at this mournful cavalcade had listened in the time of the plague to the dismal cry, "Bring out your dead, bring out your dead," when Charles and his minions had fled from the city in terror ; and had gazed on the frightful conflagration, which, while it cleared and purified the plague-polluted London, yet burned down St. Paul's and so many other of its grand edifices. Charles and his vile court had passed away ; James had passed away ; William and Mary, and Anne had passed away ; and here were men brought into the city, as if in imitation of the shows of pagan Rome, who had erringly been striving once more to subject Protestant England to such a rule as that of Charles and James. Mayhap the captors might have been more merciful ; for the time of the popish Stuarts had passed away.

Lord Derwentwater, with the other unhappy nobles, was lodged in the Tower ; his brother Charles, General Forster, and about seventy

others, were taken to Newgate ; seventy-two were placed in the Fleet prison ; and about sixty others in the Marshalsea.

It is very probable that some follower of the Earl contrived to make his escape to Dilston with the dreadful tidings of his master's captivity ; but in whatsoever way the news came, either the steward or some friend caused the title deeds of the estates to be hastily removed from the mansion ; they were taken at first to the cottage of one of the old and faithful retainers, and afterwards removed to Capheaton. Whether the Countess of Derwentwater was in London at the time in which her lord was taken to the tower, or not, we cannot tell ; but at any rate she was very soon sharing his captivity.

The noblemen who had been brought up and lodged in the Tower at the same time with Lord Derwentwater, were William Lord Nithsdale, William Lord Widdrington, Robert Earl of Carnwath, George Earl of Wintoun, William Viscount Kenmure, and William Lord Nairn ; and on the 9th of January, A.D. 1716, they were all removed from the Tower and placed at the bar of the House of Lords, to be impeached of "high treason, in levying war against his majesty, and proclaiming a pretender to his crown as king of these realms."

They were then conducted back to the Tower, dining however at the famous Fountain Tavern, then in great repute in London, under the care of twelve of the Tower warders. That day week they were again taken before the House of Peers, in order to answer to the articles of their impeachment ; to these, they all, with the exception of Lord Wintoun, pleaded guilty ; Lord Widdrington declaring that he had " only heard of the rising in Northumberland the night before it happened, and that finding that neighbours and friends had met in arms, a crowd of confused notions had hurried him into joining them." Lord Derwentwater also urged in extenuation of his offence, that he " had not engaged in the enterprise on any previous concert or contrivance ; but that being young and inexperienced, he had rashly and without any deliberation engaged himself to meet his relatives and acquaintances."

Once more returned to the gloomy portals of the Tower, the mental prospects of each nobleman were clouded by gloomy forebodings, and the hearts of all belonging to them were racked with distressing anxiety. On the 21st of the month, the Speaker of the House of Commons demanded that judgment should be pronounced upon the impeached lords ; and on Thursday,

the 9th of February, they were brought before the High Commission Court, in Westminster Hall, King George and the then Prince of Wales being present. The deeply touching answer of Lord Derwentwater, when asked if he had any cause to show why judgment should not be passed upon him, was as follows :—

“ I only humbly beg leave of my noble peers to repeat a few circumstances mentioned in my answer to the article of impeachment exhibited against me by the Honourable House of Commons ; but the terrors of your lordships’ just sentence, which at once deprives me of my life and estate and completes the misfortunes of my wife and innocent children, are so heavy upon my mind, together with my inexperience, that I am scarce able to allege what may extenuate my offence, if anything can do it. I have confessed myself guilty ; but, my lords, that guilt was rashly incurred, without any premeditation, as I hope your lordships will be convinced by one particular. I beg leave to observe I was wholly unprovided with men, horses, arms, and other necessities, which in my situation I could not have wanted had I been party to any matured designs. No, my offence was sudden, and my submission was early. When his majesty’s generals thought fit to demand host-

ages for securing the terms of the cessation, I voluntarily offered myself, without which the cessation might possibly have proved ineffectual ; and whilst I continued hostage, the great character of his majesty's clemency, and the repeated encouragements I had to hope for mercy, by surrendering to it, soon determined me ; and I accordingly declared my resolution to remain with his majesty's forces, and from that time submitted myself to his goodness, on which I still entirely depend.

"I humbly hope to obtain the mediation of your lordships, and of the Honourable House of Commons in my behalf ; solemnly protesting my future conduct shall show me not altogether unworthy of your generous compassion for my life, which is all I can beg of his majesty."

Perhaps there never was an address which more fully portrayed the gentle, courteous character of the speaker than did this one, or in a few words more touchingly gave to view the affecting circumstances in which he was placed ; but it was ineffectual in turning aside the terrible sentence of decapitation which hung over him ; and which was accordingly pronounced by the Lord Chancellor Cowper, who as Lord High Steward was presiding

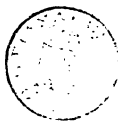
over the court ; and this being done, the unfortunate noblemen were removed and taken again to the Tower. Many and earnest were the attempts made in various ways by the friends of the young nobleman to turn aside this terrible sentence. Again and again the king was pleaded with by the agonized wife of the earl and Lady Nithsdale ; the monarch would only grant pardon on terms which conscience, according to the views of the captive, would not allow him to comply with ; this was to come over to the religion of the Church of England, and acknowledge his own rightful title to the throne. Certain of the House of Peers, touched by the distressing circumstances of their youthful fellow-noble, ventured to present a petition in his favour, or rather in favour of all the condemned lords ; but the king declared that the contract by which he was called to the succession opposed an invincible bar to his clemency.

On the 20th of February, two noblemen paid a visit to the Earl of Derwentwater, and on the conditions already named offered him his life, in the name of the king. On these terms the prisoner refused it, declaring that he would sooner give up his life than give up his faith. A great sensation was excited in the country as

soon as it was known that the six lords were condemned to die ; for numbers who utterly disapproved of the insurrection wished to have the lives of the condemned ones spared ; petitions were presented to both houses of parliament, and in the House of Lords a movement for an address to the king, asking for a reprieve for such of the condemned lords as should deserve his mercy was carried by a majority of five ; this was presented to the king on the evening of the 22nd of February. The Countesses of Derwentwater and Nithsdale, attended by many ladies of the highest rank, repaired to the palace on the following morning ; but the king refused to see them, and that very day ordered the execution of the Earls of Derwentwater, Nithsdale, and Kenmure ; Lord Carnwath and Lord Widdrington were respited, and one of the cabinet ministers who had been an old school-fellow of Lord Nairn's succeeded in saving him. How Lady Nithsdale managed to save her lord by bringing him a suit of feminine apparel is one of those fine and beautiful romances which so frequently adorn the pages of veritable history ; but for the other two there was nothing but death. No less a sum than sixty thousand pounds had, according to Sir Robert Walpole, been offered him if he

would have saved the Earl of Derwentwater's life, but it was all in vain. It is more than probable that the fact of there being a degree of blood relationship between him and the house of Stuart might weigh heavily against him. When his grandfather, thirty years before, had so earnestly striven to bring about a marriage between his son and one of the daughters of Charles II., in order to increase the honours of his family, he had little idea of such a time as this.

CHAPTER VII.



THE CONDUCT OF THE YOUNG EARL IN CAPTIVITY.—THE
RIPENING BEAUTY OF HIS CHARACTER.—HIS LAST
LETTERS AND DEATH.

Star of the Radoliffes! thou art setting;
Pride of thy people, young yet wise;
Thou true, and noble, self-forgetting;
Northumbria weep!—thy darling dies.

IN the last few pages we have given a sketch of the manner in which outward circumstances with respect to Lord Derwentwater were progressing, and showed how, apparently, all were but combining to hurry

him to his grave. We will now refer to the manner in which the last days in his gloomy prison-house were passed.

That numbers from every section of the Christian Church have met death sublimely, is no argument that this, or that, or the other is exclusively the Church of the Living God. "Of a truth I perceive that God is no respecter of persons ; but in every nation he that feareth God and worketh righteousness is accepted of Him," said St. Peter, after his heavenly Lord had given him a special lesson, to teach him that his own peculiar Church was not that in which alone God recognised those who loved and served Him. Protestant Christians can perceive in the earnest and devoted sincerity of this unfortunate young nobleman, as steadily he pursued the line of conduct which, according to his views, appeared to be the only right one, a fellow-believer, worshipping the same God, and relying on the same Saviour as themselves.

The last two weeks of Lord Derwentwater's life were spent, as under such circumstances, no one but a true Christian could spend them. He was now in his twenty-seventh year, which would not be completed until the 28th of the June following, that June which he was destined never to see. Before the sentence of

death which was now pending over him had been incurred, it is difficult to imagine a lot more bright and beautiful than his had been, both as regarded the present time and the opening prospects for coming life ; no cloud or shadow of a cloud had seemed to threaten that "fair serene." It was as he had said : his fault had been sudden ; and though his submission had been early, in those days of stern political, rather than Christian rule, it had not atoned. The clear horizon of all his earthly prospects had been darkened ; the crashing tempest had swept over the scene, and left nothing behind it but utter ruin ; his home was laid desolate entirely, and the dark cloud was drearily resting on the honours of his long ancestral line ; and he—here was the bitterest thought of all,—he, had been its cause. He had this source of comfort certainly, (and it was a precious one), he had done that which, at the time, he had hoped was right ; he had been mistaken, he could not but see now that he had been, but still his conscience acquitted him of aught of wrong intention. He had thought that duty called him to do that which he was unwilling to do ; but he had mistaken the calls of ill-judging friends for that of him who had his own, great purposes in view,

while he had permitted the changes which had occurred in the rule of these lands.

We now look back upon those changes, with a totally different light upon them from any under whose illuminating influence he could behold them ; for we see them under the light of after days. We must remember also how strong and binding were the influences which had been thrown around him even from his childhood ; if he was not fettered outwardly to the line of conduct which he had pursued, he was so inwardly, by what to him was the power of strong and settled principle, and the sacred ties of friendship and affection.

To these he was true, true to the last moment of his life ; and as day by day, nay, hour by hour, he felt that life was ebbing, his mind, rising above the things of this world, soared sublimely to the brighter one that was above.

Fanaticism is a blight which at various times and in various places has fallen upon religion in all ages ; but this young and short-lived nobleman was no fanatic : religion to him was not merely a thing of forms and ceremonies ; and although the Protestant Church throws aside much of what he had been trained to think indispensable in religion, he was evident-

ly one of those who beneath that ritual (so much of which is seen by us to be cumbersome and vain) held fast the great doctrines of the redemption of man, with a living, loving, hallowing faith ; a faith which led him to keep God's glorious commandments, according to the light he had, with all his heart. During the last fifteen days of his life, he devoted the chief part of his time to reading the Scriptures and such other works of a religious nature as were calculated to prepare him for a change of worlds.

About this time some of his friends wished him to admit a Protestant clergyman, even though secretly determined to adhere to his own religion ; by this means they suggested a reprieve might be granted, and in the issue his life spared, but from such duplicity his mind recoiled, and rather than thus act a lie, he declared he would resign his life cheerfully, and he offered it up as a voluntary sacrifice to God, praying for pardon for all his sins.

The last agonizing interview between Lady Derwentwater and her lord tookplace on the morning of Thursday, February 23rd, and either just before or just after this their little son was brought to receive the last caresses of his father. Part of the evening of this last day

he devoted to letter writing ; one of these was a parting epistle to Sir John and Lady Webb, the parents of his wife. At this time he expected that five o'clock the next morning would be the time of execution, and in the postscript he named it as such. Another letter was to his mother ; towards the close of it he says, "I hope if you are inclined to think my religion the best, that you will consider that one must not trifle with our Saviour for fear of a surprise." Another letter was to his aunt, the Lady Mary Radcliffe, one was to his brother Charles, and two were to his lady. The last of these remains unfinished, and reads thus :—

"My dearest worldly treasure, — Take courage, and call upon God Almighty. Do not let any melancholy thought get the better of your virtue or your courage, which have been such an example to me. I deliver up my soul to Almighty God ; and thus, through the merits of my Saviour's passion, I hope to obtain everlasting happiness. Tell Lord Scarborough and Lord Lumley and show them this, by which, as a man dying, I desire them to be true to their trust by assisting you, my dear wife, or Sir John Webb, against anything that may happen to disturb the bringing up of my children in my religion, and after the way in

which you or Sir John may think fit. This service is in their power, and I do not doubt of their being true to their trust."

In most of the fine old border ballads, written at this and subsequent periods, the young earl is represented as dwelling in mournful thought on the scenes of his beautiful and picturesque domains, during this time of incarceration in the Tower ; but this was not the case : his thoughts were much more wisely and blessedly occupied ; for these poetic tributes to his memory show little of those sublime aspirations of faith and love with which his soul was already soaring away to a better and brighter dwelling-place. In spirit he had got a glimpse of those glories which lie beyond the river of death ; his countenance reflected the peaceful and blessed feelings of his heart ; and, casting aside all encumbering superstitions, he held fast to that grand reality of our creed which all the corruptions gathered round it have not destroyed, namely the redemption of the human soul by Christ.

Early on the fatal morning, Lord Widdrington, who, like himself, had been condemned to die, but had been reprieved, visited Lord Derwentwater : they spent some time in prayer together, and after he had taken his leave the earl continued his devotions in company with

his chaplain until at ten o'clock, the hour finally fixed, when the message came to him that the coach that was to bear him to execution waited for him below. He was attended by his chaplain and one of the keepers as he descended to it ; the guards and others whom he passed on the way manifested their grief by tears : while he, evidently communing with Him who is the source of all comfort, showed in his countenance the absorbing feeling of his soul ; an unspeakable and touching dignity marked every feature of his face and every movement of his person.

There were two hackney coaches waiting at the gate of the Tower : one was for Lord Derwentwater, and the other for his fellow-sufferer Lord Kenmure ; and in this way they were taken to the City Bars, at which place they were received by the sheriffs of London, who informed them that if they wished for a little retirement before they suffered, rooms had been prepared for them near the scaffold. This kindness was suitably acknowledged, and Lord Derwentwater spent about half-an-hour there in prayer.

"He walked majestically to the place of execution," says his spiritual adviser, who seems to have been awe-struck at the display

of such elevated and Christian heroism in one so young.

As the earl ascended the steps, the paleness of concentrated emotion rushed over his countenance ; but it passed away again, and he took his place calm and collected upon the scaffold, while thousands upon thousands collected round it regarded him in earnest and tearful silence. The scaffold itself was surrounded by three detachments : Life Guards, Grenadiers, and Foot Guards ; but the attention of the whole surrounding mass of human beings was centered in the young nobleman who was about to suffer.

He was attired in a suit of black velvet, with long black hose drawn up over the knee, shoes of black leather, and buckles of silver ; his low-crowned broad-brimmed beaver was turned up on one side with loop and button, from which depended a drooping black plume. According to the fashion of those days, he wore a curled wig of his own light flaxen hair, which fell upon his shoulders ; and from his breast depended a crucifix of gold.

While upon the scaffold, an offer was once more made to him of his life and fortune, if he would conform to the Church of England and acknowledge the right of the house of Hanover to the throne. His reply was that on these terms

they would be too dear a purchase. Sir John Fryer then informed him that all the time he wished for should be granted to him for preparation. He replied that he would only read some prayers and, if he had permission, a paper which he had prepared to read to the people. This was granted ; and after prayer he advanced to the rails of the scaffold, and read, with a calm distinct voice, his steadfast adhesion to his own religious faith and to the house of Stuart, closing his address in these words : " If that prince who now governs had given me my life, I should have thought myself obliged never more to have taken up arms against him."

He then delivered the paper into the hands of Sir John Fryer, saying, " I have sent a copy of it to my friends."

After again spending a short time in prayer, he approached the block ; and finding that it had been left rough and uneven, he desired the executioner to smooth it down, which was accordingly done at his request.

He now expressed his entire forgiveness of all who had been concerned in his execution.

" I ask your lordship's forgiveness," said the executioner. " With all my heart," replied the earl ; " I forgive all my enemies, I

forgive the most malicious of them, and I do forgive you !”

Giving him then a present of two half broad pieces, he told him that he would receive an additional gift from the gentleman who held his clothes, and made him understand that he was not to strike until he had pronounced the name of Jesus three times loudly. The youthful victim then knelt down and placed his head upon the block, and raising his arms in the attitude of supplication, uttering distinctly three times, with intervals between, the petition, “Dear Jesus! be merciful to me.” At the third time, which was uttered more loudly, the axe fell, and the noble head was in an instant severed from the body. A strange moaning sound was uttered by the multitude, and far away into the northern counties lamentations echoed over his hapless fate.

An attendant of the earl received the head of his beloved young master in a crimson velvet wrapper which had been provided for it, and took it immediately to the friends of the deceased nobleman: the body, wrapped in a black cloak, was taken to the Tower for interment; but in some way or other his friends gained possession of it, and it was taken from the Tower at three o'clock on the following

morning, and conveyed in a hearse to the surgery of a Mr. Metcalf, in Brownlow Street, where the once more united remains were embalmed, from whence they were taken to the house of an undertaker named King, residing in Great Wilde Street, and enclosed in an outer coffin of crimson velvet, ornamented with gilt plate and nails. Upon the former the name and title of the deceased were thus inscribed :

THE RIGHT HONOURABLE JAMES,

LATE EARL OF DERWENTWATER,

Died February 24th, 1716, aged 27 years.

Thus closed a life which, brief as it was, left yet behind it in the minds of the people the memory of a model of benignant nobleness, and all the tumults since, which have been surging among the sands of time, have never erased the beautiful and beneficent features.

On the 1st day of the March following the lamented death of Earl James, the Countess Anna Maria, his widow, went in person with her infant son to the Court of the Commissioners which had been appointed by King George 1st to take cognizance of and arrange all matters relating to the estates of noble families who were circumstanced as the descendants of the late Earl of Derwentwater now were. At this

Court the Countess exhibited two claims on behalf of her son; in whose name, as his guardian by will, as well as parent, she demanded all the great hereditary entailed estates of his family. These claims she founded on the entail which was secured by the two marriage settlements of former earls; one made A.D. 1691, the other A.D. 1712. The result of this was that the claim founded on the earlier of the two settlements was allowed, but that founded on the latter date of 1712, was dismissed; and had matters rested in that way, the present claim put in by the Countess of Derwentwater, would indeed have been a hopeless one, but it did not rest thus; although for nearly two years the hands of government were on all their lands.

An appeal against the unjust judgment which had been given was at length made to the Lords Delegates; and in 1718 the claim founded on the marriage settlement of 1712 was admitted; and the noble entailed estates of the Derwentwater family were given up by government to the son of the decapitated earl: this son was the grandfather of the Countess Amelia.

In order to make this matter clear, we have been obliged to anticipate a little the order of time, but return in our next chapter to the sad circumstances of the bereaved but noble family.

CHAPTER VIII.

THE BURIAL.—TRADITIONS.—AND BITTER TRIALS OF THE COUNTESS.

Lament! for the young and brave:
Lament! for the early taken;
Mourn for the noble lord of the hall;
Mourn for the home forsaken.
Lament! lament!

Weep for the long, long years
That shall pass amid cares and fears,
And the weary exile's sadness;
Till the ancient walls of that keep shall fall,
And the lands shall rest from their lengthened thrall,
And give once more amid bower and hall,
Their due to the heirs of John the Earl;
And the long lament to joy shall turn,
And the Derwent race shall at last return
To their ancient home, in gladness,

THE unhappy Countess of Derwentwater, whose bright life prospects had been thus so fearfully clouded, was now residing at Dagenham Park, near Romford, in Essex; and thither, in order to be deposited in the chapel for a season, were the remains of the deceased earl taken.

It is generally supposed that it was from a fear of any popular disturbance being awakened in the North of England, that Lord Derwentwater's request to be interred by the side of his father at Dilston had been refused by

government ; and in consequence of this refusal, the friends of the deceased nobleman dared not openly convey his remains to the spot in which he had wished them to rest. This wish was, however, complied with as soon as they had made the needful arrangements for doing so ; and the story of his removal is one of the current traditions of the North. The mournful company who took it travelled by night, and rested by day, as they conveyed the body to its last resting-place ; one of the faithful and attached servitors of the Radcliffe family driving the carriage which contained the coffin of his master. By this time the cause of the Stuarts was crushed in Scotland as well as England ; for on the self-same day on which they lost the battle at Preston, had been fought that of Sheriffmuir, in which seven hundred of their adherents had been slain. The part which the Duke of Argyle took in the suppression of their cause there is well known ; and it is somewhat remarkable, that as he was on his way back from Scotland, he met the little company, who was silently bearing the body of his deceased fellow-noble to his ancestral tomb. The opposition of parties was all forgotten when he learned who and what were approaching ; and stopping

his own retinue, he remained uncovered until the funeral procession had passed, testifying his sorrow for the early blighting of a life which had been so full of promise.

As the mournful cortegé began to draw nearer to the place of destination, such of the tenantry as were aware of the time of their arrival were waiting to pay their last token of affection and respect as it passed.

“The Tynedale peasants wake and weep,”

says one of the fine old border ballads of the time; and many were the romantic associations and traditions connected with this lamented young nobleman's death and burial. Among others, it is said that this was the first period in which the phenomenon of the aurora borealis, or northern lights, was seen in those parts, and, being clearly visible both to those who thus journeyed by night and the companions whom they found assembled on the roads awaiting their coming, were straightway superstitiously supposed by them to be a special mark of the notice of Heaven, bearing testimony in favour of the young nobleman whose untimely death they were lamenting. The name of “Lord Derwentwater's lights” was at once given to them, and by that designation they were long known in the northern counties.



A still more remarkable notion was associated with the romantic stream which rushes and winds about the ancestral home of the deceased earl ; for it was stoutly affirmed that its colour changed on the day of his execution, and took a crimson and ensanguined hue. Like many other of those fallacies which human affections and loving hearts have sent abroad in this world of ours, these traditional remains point out the real fact of the love of the people, for him whose joy it had been to make them prosperous and happy.

When the remains of Lord Derwentwater arrived at Dilston, they were quietly and sorrowingly deposited in the family vault there, within the chapel, and there for a long season they remained undisturbed. There are various and contradictory traditions left concerning the movements of Lady Derwentwater after this. But they all state that after the burial of her lord she went to Cumberland, and while sojourning awhile by the lake of Keswick was pursued and nearly captured by her enemies ; these enemies tradition asserts to have been some of the rude peasantry of the country who blamed her as the cause of her lord's death, by urging him to join the rebels. Another account is, that it was a party of soldiery who were in

chase of her ; both these, however, unite in one point, namely, the place of her concealment from them ; this was a screened hollow among the wild precipices of the Walla Crag, yet called "The Lady's Rake." It is situated at a little distance from the wild and magnificent falls of Lodore.

However the peasantry by the lake of Keswick felt towards this hapless lady, those on the Dilston lands seem to have cherished her memory kindly, and there are traditions still, wild and fanciful as many of the border legends are, that amid the woods, and the ancient ruins of the noble hall, the spirit of the Lady Derwentwater has often been seen wandering as if in search of her husband, or still holding the lamp from the tower in which she used to watch and wait for his return. These, like many of those respecting the young nobleman himself, are but traditional fancies ; but they show in what direction the strong, deep feelings of the people flowed.

After leaving Cumberland, this unhappy lady journeyed towards London, bearing ever with her her heavy weight of sorrow ; and remaining for a short time at Kensington, she removed from thence to Hatherhope : but a sad place must this, the scene of her bridal

happiness and first two years of married life have been, now in her bereft and anguished widowhood. From Hatherhope she went to Canford Manor, the dwelling of her parents ; but ever restless now in England, she left and took up her residence at Louvaine. The sun of her happiness had set early, for she had just entered on her twenty-third year when the blood of her young lord was shed upon the scaffold.

CHAPTER IX.

FAMILY HISTORY.

AS during the whole of this history of the Heirs of Dilston and Derwentwater, we have had to keep to the main branches of the geneological tree, leaving out that of those lateral ones which would at once have made the book larger and less clear than is desired ; so we must do to its close. From the nature of that part of the family history to which we have now arrived, however other individuals have to be mentioned, and as near as may be to the exact order of time, the transactions in connection with them will in this chapter be introduced.

It was in the year 1716 that the young Earl James was decapitated ; in 1723, his Countess sank beneath her weight of sorrow to the grave, and her son, the acknowledged heir to all the noble entailed estates of his family, was yet little more than nine years of age. He was educated at St. Germain's ; and as he grew up to man's estate appears very early in life to have become exposed to many jeopardies, consequent on his own peculiar position, and the nature of the times. Integrity and uprightness were very far from characterizing many who were about the British Government of that day ; and the splendid estates to which he was rightful heir excited many of the lucre-loving and unprincipled in England to plan and plot against his welfare. On the other hand, though too young in years to engage in politics, there were others of his relatives just as enthusiastic as ever in the cause of the Stuart family ; but not possessed of estates such as those to which he was heir, to enable them to carry out their projects. As this youth, then, advanced in years, matters of this kind began to gather many perils round him ; the dying commands of his mother were, that he was never to take an oath of allegiance contrary to the interests of the Stuarts, but *yet* he

was to engage in no such enterprise as that which had cost his unfortunate father his life ; and these commands to his own life's end he ever kept.

We have already given a brief sketch of this ancient family, as for many a long century they bore rule and high distinction among the nobles of the North of England, but we are now approaching a period when amid the tumultuous waves of political struggle, and the vile recourse which was at that time too often had to the aid of the assassin's knife and all manner of outrages upon society, this long line of nobles became merged, as it were, beneath the surface of political life in England. The time for the young Earl, John, 4th of the title, to attain his majority was fast drawing nigh when, as a noble peer of the realm, he must take the oath of allegiance to the reigning monarch ; but this oath, our readers will remember, was tendered to his father on the scaffold, but he refused to take it ; because with his view of the rightful heirship to the throne that oath went against his conscience, and the case was similar with his son ; nay, it was even a stronger one, for both his parents had died devoted adherents to the Stuart line, all his prepossessions were in favour of the Stuarts

also ; and who can wonder at it, when they think of his father's death ; had he not been deterred by the dying commands of his mother, it is probable that even very early in life he might have been drawn in by such men as his uncle, Charles Radcliffe, to swell the list of those who by and by engaged in the next rebellion ; as it was, however, he steadfastly resisted this. He had much of the fine talent, and much of the fine and gentle yet firm character of his father, but like him he had to begin early with the perplexities and perils of life. The oath of allegiance was his stumbling block just at the outset ; many of the nobles, especially one who was appointed by will his guardian, urged him imperatively to take it, and so make his own way smooth ; but this he had reasons equally peculiar, powerful, and tender, all forbidding him to do. On the other hand, his uncle Charles and his party spared neither threats nor taunts to induce him to join in with the next rebellion, which they were then planning. He *would* not do this, and he *could* not take the oath. Harrassed thus by conflicting advisers, he soon had the perils of attempted assassination to add to his other troubles. In the then corrupt state of affairs in England the final issue of the

application to the Lords Delegates had grievously disappointed many who had got an unjust hold upon his lands ; while he was a minor matters had been in a degree quiescent, but he was now approaching his majority, when his rich heritage over which he would have full control would make him, were he so inclined, a dangerous enemy ; his uncle was under an attainder and could not claim them, supposing he himself were dead, neither could his uncle's children, for they were aliens, and so the assassin's dagger was had recourse to in order to put him out of the way. Five miscreants fell upon him while coming out of an evening party in London, but though seriously wounded his life was spared. In the following year another gang of desperadoes set upon him in Paris. And thus troubles of every kind were besetting him even in early youth.

There was no doubt in his mind but that it was the unprincipled covetting of his noble fortune that brought these enthralling toils around him, for his way seemed hemmed in on every side, and to get a degree of rest and respite from it all, he determined for a season to put distance between him and them.

Withdrawing secretly into Germany, he there threw himself under the protection of the

Emperor, Charles VI., and engaged immediately in his military service, joining his forces which were then in the East. Determined now to lose no time in commencing operations for getting a hold upon his fortune, his uncle Charles's family at once set a report abroad that he was dead. This was in 1732, and within a year we find that Charles himself was in London under the assumed name of Mr. St. John, and striving most earnestly by means of friends in power to get a pardon, and the excluding stigma of his attainder removed away; had this been successful and the false assertion of his nephew's death substantiated, his way then to all the Radcliffe wealth would have been opened. The pardon was refused, however, for the government knew him much too well to trust him.

As this scheme failed another was devised, but in the meantime the Emperor of Germany wrote to the King of England, denying the report of the young 4th Earl's death, and declaring that he was residing there, and under his protection. It is most probable that Charles's family were not aware of this, or they would scarcely have ventured on their next step, which had much more boldness than either prudence or principle in it. The Countess of Newburgh,

the lady of Charles, came to London in 1736, and again spreading the report of the young Earl's death laid claim to his estates on behalf of her son, James Bartholomew Radcliffe, and wrote to Busby, the Earl's steward, who resided at Corbridge, desiring him to grant life-leases to the tenants in her son's name, and threatening that it would be to their peril if they took leases in any other name. Such a change as this was not to be made lightly by the faithful steward of an absent man, and he at once sought legal advice on the subject. This brought the matter to the king's ears, who had little love for Charles's family, and knew that the report they spread was false. He sent for the Countess of Newburgh, made her confess that it was false, and then ordered her to leave his kingdom in less than twelve hours. The whole of this account the reader will by and by find in Lord Erskine's letter, which, eighty years after this, was written to the 6th Earl, father to the Countess Amelia. At this period the Government again laid its hands on the Radcliffe estates, ostensibly to secure them from usurpation.

In the year 1740* John, the 4th Earl, so far

*The pedigree of the family from this time is taken from that furnished to the public by the Countess Amelia.

from being dead had taken unto himself a wife, and was united in marriage, at Frankfort-on-Maine, to Elizabeth Arabella Maria, Countess of Waldsteine, in her own right, and heiress to very large estates. In the year 1743, their first son and heir was born ; ultimately they had ten children, but many of them died in infancy.

The next matter we have to record is the way in which the English Government got possession of the title deeds of the Dilston and Derwentwater lands, for these had hitherto been carefully kept from all aggressive endeavours to gain them, the chests in which they were contained having been not only taken to the Swinburne mansion at Capheaton for security, but built there strongly into one of the walls. There was a tie of relationship between the Swinburne and Radcliffe families, and in addition to that, those of a very long and enduring friendship. With respect to this latter, a romantic incident connected with both families is recorded as occurring about the middle of the sixteenth century, that is, about 200 years before the time we speak of. Sir John Swinburne, the first baronet of the family, who died in 1706, had lost his father in early life; and in a way not at that time, very uncommon

when young heirs to large estates were in question, he had been kidnapped, it is supposed, by some one who wished to usurp his property. The boy had disappeared from Northumberland, and that was all that was known of the matter. Of course, this could not but create great consternation ; but all attempts to get a clue to his whereabouts were vain. At length a gentleman of the house of Radcliffe, who had been abroad, and visiting a monastery was struck by the strong resemblance which a boy there bore to the Swinburne family. He made many enquiries, but could gain no intelligence save that the child had come from England, and that an annual sum was paid for his maintenance. On questioning the youth himself, however, it was found that he remembered having been called Swinburne when very young. This led to his being taken to Northumberland, where a special inquest was held for the purpose of identifying him as the son of John Swinburne and Ann Blount. The accounts from which this is taken states that the description he gave of some peculiar marks upon a cat, and an ancient punch-bowl still yet remaining in his father's house, and both of which had struck his childish fancy, were the means of giving assurance of his identity. In 1660, this

youth was advanced to the dignity of baronet, and in 1668, he erected the mansion at Capheaton, the residence of his family having formerly been at Meldon.

It was to the care of this gentleman's descendants that, after the attainder of the 3rd Earl Derwentwater, all the title deeds of his entailed estates were committed, and better care we may see they could scarcely have taken of them than they did. It takes a very little of either talent or power to do a great deal of mischief in the world, and a meddling slater's prying curiosity into the affairs of others has led to a world of wrong doing in many a year since then. This man had been employed to do some repairs in the roof of the dwelling at Capheaton, and by some means discovered the vicinage of the chests which bore the Radcliffe insignia, and he went at once and acquainted Sir William Middleton with the fact. There was no safety in any dwelling at this time, and very soon, on pretence of searching Capheaton for arms, that gentleman made his appearance ; following the directions of the slater, he proceeded to measure the wall externally and internally, found the place, and removed the chests containing the title deeds of the young Earl's estates, and took them away from the place in which they had

been safely deposited by his family, on his behalf. Well might the son of that nobleman, in after years, indignantly exclaim "My departed father never authorised the Sheriff of Northumberland to remove the title deeds of his freehold estates from Capheaton." The deeds were sent off to London, where they were but too eagerly clutched by the parties who wanted a legal-looking claim to the estates they had laid their hands on.

In 1745, the rebellion again broke out in England and Scotland, but it was crushed. Charles Radcliffe, who was deeply implicated in this, was captured as he approached the shores, taken to London, and executed in 1746 on the charge for which nearly thirty years before he had been condemned.

In this rebellion, John, 4th Earl of Derwentwater had taken no part whatever, and it was well known to the English Government that he was still living abroad, the deeds of his estates however were now in their hands ; and partly perhaps by way of quietus to the country, and quietus to conscience at the same time, a gift was made of them to the Greenwich Hospital.

These lands comprised the manor, demesne and lands of Dilston ; the lands and royalties

of the barony of Langley ; the manor and lands of Meldon, with its appurtenances ; the lands of the barony of Wark ; the manor of Throckley ; the manor of Newlands ; the manor of Whittonstall ; the estates of Thornbrough, Coastley, and Westwood, Middleton Hall, Spindlestone, and Utchester, the manor of Scremerston, and estates in Hexhamshire ; the manor of Alston Moor ; and detached properties of less importance in Northumberland ; together with the manors of Castlerigg, Derwentwater, and Thornthwaite, and the rest of the property near Keswick. The surface rental of the above-mentioned estates, with the lesser properties, comprising in all about 41,000 acres, produced a gross income of £43,417 in 1816 ; the gross annual produce of the mines was returned in 1818 at the large sum of £15,374 in addition ; and in one year (1823), it reached the sum of £37,000. The net balances of income derived by the Hospital, from the lands, woods, and mines of the Derwentwater family, appear from a parliamentary paper to have been—

In 1788	£26,016
1798	34,279
1808	27,593
1818	39,913

1828	49,421
1831	38,286

After the last-mentioned period, the Cumberland estates, the Meldon property, and the Hartburn Grange property, were sold, and yet the present net annual income is the enormous sum of £44,000, or thereabouts.

In February, 1748, James Bartholomew, son of the deceased Charles Radcliffe, petitioned Parliament for money, and offered to give up all his share of the entail of the Radcliffe lands which might come to him or his family for £24,000. This offer was accepted, and the money was paid to him.

News of this kind travel fast, and indignant at all these transactions, for neither the English Government, the Greenwich Hospital, or Charles Radcliffe's son had any right to the produce of his lands in his lifetime; the fourth earl made another earnest application to the King of England through the then reigning Emperor Francis I., of Germany, who wrote to George II., pleading importunately for the restoration of the earl's estates, and that the King would recall him from exile. "The King's answer," says Lord Erskine, in writing afterwards to the sixth earl, "was a sullen one and full of revenge," saying, "it would be in-

consistent with the dignity of the King of England to grant any favour to John, Earl of Derwentwater, who had not acknowledged his supremacy." And so things went on; it was the day of power for the enemies of the Radcliffe family, and the day of trial for him on whose head this vengeful crushing of the right was wreaked. Yet in on one respect it was utterly unable to touch him. The young exiled noble had not passed through the trying ordeal to which he had been so early called in vain; and for beauty of christian character very few appear to have exceeded him. Thus was he saved from those distressing, impatient, and revengeful feelings, which to many men so circumstanced would frightfully have imbittered his bitter cup, and a very bitter cup it was indeed, as regarded England. Both he and his family were often here, but, of course, neither travelling nor re-residing here under their own name, for twice already had the axe and the block been reddened with the blood of his relatives. In domestic life he was peculiarly happy—a talented and cultivated man,—and like his father delighted to confer happiness.

It was not long before the sullen temper of the then reigning monarch of England devised a fresh way of giving pain to those upon whom

his hand was laid so heavily, and an order came down to Dilston to pull down the noble hall adjoining the old mansion, which the third earl, his father, had erected for the reception of his bride; this beautiful structure was accordingly pulled down, the materials sold and dispersed, yet still the old hall, the tower, and old chapel were left. In 1765, however, still more havoc was made in the Radcliffe property, for the commissioners sent an order for the old mansion also to be pulled down; pity it was that a hand was dared to be laid in this way on one of the old ancestral halls of England. Time makes havoc enough in crumbling away these precious monuments of the days gone by, without the hand of man stripping England of the grand relics of the past.

More than a hundred years have passed away since those venerable halls were levelled with the dust, and many a stranger has stood in sad and mournful reverie amid the ruined remains of what was once one of the grand baronial homes of the country, for the ancient tower and chapel have escaped the hands of the ruthless destroyers of those days. Even before the time of the hapless Earl James, the owners of this residence used to pay "hearth money" for thirty-two hearths, and to these were, of

course, added those of the magnificent suite of apartments which were erected by him.

There seems to have been a refinement of cruelty altogether un-English in thus destroying the home of an obnoxious family, which only appears the more base when we remember that it was under the covert-mask of assuming that its owner was dead and gone, instead of which a point of reverence for the dead kept that owner from making the concession that was required. What parent who reads these pages would wish their children to act otherwise, were there circumstances in their own family such as there had been in his ? It was much that he never sought retaliation, and his last commands to his two surviving sons were that they should never seek it ; he wished them to serve princes, but never those who were at war with England. This fine and heavenly-minded christian died in his eighty-sixth year at Frankfort, A. D., 1798. His body was buried at Aschaffenburg, but his heart was brought by his sons, the father and uncle of the present countess, to Dilston, in a leaden casquet, and buried by them according to his wish beneath the coffin of his father, Earl James.

Seven years after this the commissioners and

secretary of Greenwich Hospital caused the coffin of Earl James to be opened, and to their astonishment they beheld the beautiful features of the deceased nobleman in an entire state of preservation; and certainly if an artist gifted for such a work could have been by, and caught the awed and surely conscience stricken countenances of these violators of the tomb, as they beheld a sight so utterly different to what they expected, the whole group would have made one of the finest subjects for a picture that ever was. Humanity has rights which no position of temporary power can lawfully authorize fellow-beings to meddle with; more especially when a curiosity to gratify pretended "historic doubts," is the only allegeable motive.

The throne of England had now been filled five and forty years by George the 3rd, a monarch of a different stamp to his two stern and ungracious predecessors, and the noble father of the Countess Amelia had a personal interview with him, beseeching him to order the tomb of his family to be closed and preserved from such outrages as this. It was to this interview that Lord Erskine in the letter which we will shortly give alludes. When the commissioners opened the coffin of Earl James

they did not discover the leaden casquet containing his son's heart that lay beneath it, and the tomb was therefore closed without any one save those who placed it there having any knowledge of its presence.

When John the 4th Earl of Derwentwater died, his eldest son James, at that time in his 55th year, was the rightful successor to his title and estates. He was an officer in the Prussian service, and was united in marriage to Eleanora Grafinn Mouravieff. The battle of Waterloo was fought in 1815, and this nobleman and his brother John James, who was in the Austrian service, both distinguished themselves so greatly in it, as to attract the particular notice of the Duke of Wellington. It was respecting the Earl, that his Grace, (little thinking who he was), said, after the battle was over, "This Waldsteine speaks as good English as an Englishman, and his bravery agrees thereto." The Earl's death followed very soon after the battle in 1816, and as he left no children his brother was the next heir, the portrait taken early in life which the Countess possesses of this nobleman is remarkable for personal and manly beauty.

CHAPTER X.

JOHN JAMES, 6TH EARL, AND HIS DESCENDANTS.

THIS nobleman was born at Alston, in Cumberland ; he was considerably younger than his brother, having been born in 1764, he was shorter in stature, but the portrait which his daughter preserves of him shews a countenance remarkably striking and commanding. They were all gifted and right noble gentlemen, and pity it was that their native country, for they were all born in England, should not more fully have benefitted by them as statesmen and residents on their own lands. It was in the year following the death of his brother, that the correspondence between the 6th Earl and the Lord Chancellor Erskine took place, respecting the long continued spoliation of their family by the government of England. The two following letters will shew its character. No epistle that ever was penned could more fully accord with the fine manly expression of the Earl's countenance than the one written by him, or more lucidly state the peculiar position of the Radcliffe family, than Lord Erskine's.

John 6th Earl of Darwent-Water's Letter to Lord Erskine, August, 1817.

MY DEAR KIND ERSKINE,—I am greatly astonished at the purport of the letter from the Commissioners of the Greenwich Hospital. I herewith transmit you a copy of it. My Council here, say their answer is piquant unstatesmanlike and very illiberal. The wrong done to my departed father and myself, makes it an imperative duty on my part : to force these Commissioners to face a further question in law : than the one I asked in my former letter. If they are acting as honest public men in trust they ought to be ready to give the public of England a microscope to look at their actions. I come now to points of the law of England : and my first question is, upon what ground do these Commissioners substantiate their claim on the freehold estates of my father John fourth Earl of Darwent-water ? My departed father never willed his freehold estates to the Commissioners of the Greenwich Hospital—neither did he authorise the Sheriff of Northumberland to remove the title deeds of his freehold estates from Capheaton and convey them to the Greenwich Hospital Commissioners : He also never committed any public crime during the 16 years he was in possession of his freehold estates : whereby the law could not consider them forfeited to the Crown. There was no act of devestire passed—my father never was turned out of his

freehold estates—he simply left them to go to another country. Now I ask, if you were to leave your country seat and go to another country; could it operate in common law—that the king of England could give his assent in your absence to a certain number of men to convey your freehold estates to an hospital? Then this is precisely, what has been done to my honest father: you will find my dear Erskine, the afore-said Commissioners have no valid title to hold my father's freehold estates. The king knew under whose protection my father was living—and it is certain the king of England cannot invade the rights of a free born son of England without a penality. If the Oath of Abjuration which my father could not from conscience honestly sign—is the plea for seizing his freehold estates—then let the question be put to every noble Peer of England: if he could honestly swear allegiance and become the humble slave of his father's murderers. And moreover a Prince who would condescend to rob an innocent man of his freehold estate: is beneath the support of a noble Peer of England. I have one more question to ask—Are Dennis Boid and Sergeant Birch the men, my father's freehold estates were seized for? Why have these thieves been allowed to embezzle the proceeds therefrom? Cruel and wrong have been the terms, on which England has treated my honest father and grandfather. There were grave reasons for my father leaving his home: kind Providence had delivered him twice

out of the murderous hands of English assassins before he left Paris; so that exile was the only means to save his life from his father's cruel foe.—
I am yours truly obliged

DARWENT-WATER.

Reply.

MY DEAR DARWENT-WATER,—I received your letters from the hand of his Excellence—which you forwarded in his bag. I beg to assure you, that instead of your request being a trouble to me you have conferred an honour on me by intrusting me with your confidence, and I shall feel truly glad if I can render you a service.

On my way to the House of Lords this morning, I met the Crown Lawyer, the very man I wished to see—I had a long talk with him without betraying one word of what you intrusted me with.

The Commissioners of the Greenwich Hospital have no valid title to the freehold estates of your father John, fourth Earl of Darwent-Water, and the reason why the Crown seized your father's freehold estates, was simply to protect them from usurpation; and the preamble of this act commenced from the fact—that the Countess of Newburgh, the wife of your great-uncle Charles Radcliffe, came to London and reported that “your father had fallen from his horse and was dead,” when she knew he had gone into voluntary relegation to release himself from the oath of

allegiance to George II. Some private documents were found under the Crown papers written in German to George II. shewing the whole of this case.

The Prince of Munsterburg Cabinet Counsellor to the Emperor Charles VI. of Germany wrote a private letter by the command of the Emperor to George II. to apprise his Majesty "that the young heir of Darwent-Water was not dead: as had been reported, but was under the protection of the Emperor—and that he had made his escape from Paris to avoid the oath his father James third Earl of Darwent-Water had sacrificed his life for."

The Prince pleaded on very urgent terms in this letter to the King: "to take a high view of the case and not impute the feelings of the young heir of Darwent-Water to a want of loyalty, but to the natural feelings of a son."

The Crown took possession at that time of your father's freehold estates—but not really under the head of forfeited estates. You are quite right; no one could prove that your father John fourth Earl of Darwent-Water during the 16 years he was in possession of the estates had ever committed one crime against the King of England;—therefore the Crown cannot claim a title to your father's freehold estates—but the Crown having taken possession to hold until the heir-at-law comes forward and confesses himself to become the faithful and obedient subject of his

Majesty, the rightful and lawful King of this realm etc. This is the formality the king would exact from your father and his heirs—but the law of England allows no exaction and no severe tribute of the whole of a man's freehold estates when no crime had preceded. The estates that have been sold can be recovered for the price they were sold for, because the Crown had not the power certainly, to sell an inch of the freehold estates of your father.

The Crown has appropriated the proceeds therefrom : which forms a grave question, and this may have been the reason the Commissioners have written in the way your council consider unstatesmanlike—because they could easily have committed themselves on this point. Your council is right. George II. had no prerogative to convey the freehold estates of your father to the Commissioners of Greenwich Hospital either by letters patent—the public seal of the King ; or any other way ; and whatever ill-will the King held to your father concerning the oath of allegiance—his Majesty could not give a valid title to the Act of 22, George II. Moreover the Emperor's letter appears to have placed his Majesty in some difficulty—in giving his assent to an act so truly unjust. Counsellor Pigott was very pitifully bribed by the King to help him in this mean act—the Counsellor's help did not avail also : and the aforesaid Act did not divest. Vide, 22, George II. I will show your Council the whole

case just as it occurred:—On the 20th September, 1736, the aforesaid Countess of Newburgh came to London to confirm her former report about your father being dead—and she wrote to your father's land steward Mr Charles Bushby, at Corbridge, a similar letter to the copy of the one you sent to me. The Countess desired Bushby to grant life leases on your father's freehold estates in name of James Bartholomew Radcliffe; thus installing her son to the prejudice of your father the rightful heir and possessor of the lands. The threats the Countess used in her letter to Bushby, "desiring him to let the tenants know it would be at their peril if they took leases in any other name than her son," caused Bushby to ask advice—and as soon as the King was informed of this wicked act of supplanting, he sent for the Countess of Newburgh and made her confess that she knew your father was alive and under the protection of Charles VI. of Germany. And for this sad crime, the King ordered the Countess of Newburgh to quit his kingdom in less than 12 hours. The Countess pleaded "that if John, Earl of Darwent-Water, is determined to live in exile, it will deprive my husband of his income out of the family estates—and my children unprovided."

In 1849, after the Peace of Aix-la-chapelle, when a restitution of all places was to be made on all sides—Francis I., Emperor of Germany wrote to George II., "pleading for the restitution of John Earl of Darwent-Water's princely estates, and to

call him home out of exile." "The King's answer to the Emperor was a sullen one : and full of revenge —by saying it would be inconsistent with the dignity of the King of England, to grant any favour to John Earl of Darwent-Water who had not acknowledged his supremacy." James Bartholomew Radcliffe was at that time in his 24th year, and he knew your father John fourth Earl of Darwent-Water was alive and had sons, and like a noble Radcliffe he yielded to the truth and consented to his Majesty that his title under the settlement of 1712, should be extinguished for ever —and he accepted the sum of £24,000 from your father's freehold estates—in consideration of the income your father deprived him of by his determination to live in exile. So that the old in tail was cut off in 1749, and sold out for the £24,000, by the son of your great-uncle Charles Radcliffe —and not one of the younger branches of Radcliffe Livingston and Newburg can ever possess any part of the great freehold estates of your father John fourth Earl of the elder lineage of Darwent-Water in the Counties of Cumberland and Northumberland, and as I have before said ; neither can the Crown claim your father's freehold Estates—if you will confirm to the law of allegiance. When you petitioned his Majesty in 1805, to order your ancestral vault at Dilston to be closed on your grandfather the noble victim of the Stuart's cause: That was the moment you should have yielded your adherence to the House of Stuart at his Majesty's feet, and I feel assured

the good old king would have felt glad to have called a noble son of the long-lost House of Radcliffe out of exile. And I know there are many warm hearts left in England for Radcliffe—who would hail you to your home. I wish I could persuade you to overcome the feelings of horror your father expressed—because our Constitution is composed of a very different class of men from those who were the advisers of the Crown in the first half of last century—and we all allow the treatment to your family has been barbarous—and the thoughts of it would naturally wound your father's feelings whenever he thought of his noble father. I will only have time and place in this letter to tell you the Duke remembers the circumstance of General Hartman and your brother: and he says there were not two more active and braver men on the Plain of Waterloo—the two were every way seen at the heat of the battle. I can assure you—you will find a host in the Duke—and if the old General can leave his bed we must have him in London; then a Hanoverian General is part of ourselves. If you prefer writing in Latin it is just the same to me—and it will keep our correspondence as you wish it, more concealed.

Yours very faithfully,

ERSKINE.

Thus we see that Lord Erskine, the very highest authority in English law, who had deeply studied the question of the withholding

of the estate from the Derwentwater family, gives the concise answer, that *nothing* save the oath of abjuration not having been yet taken by that family, gave any authority to the English Government to withhold their lands. Now, the English Government has of itself abolished the necessity of taking that oath ; and here we have in our day the sole heiress of this family coming forward and asking of her country the restoration of her patrimony. That which was taken for no crime ought surely to be restored free of all cost.

It is now fifty-two years since these letters were written, but the truths which were then so powerful are equally powerful still ; nay more so, for the times are different times, and things are being looked into with an eye to justice now, which in the former periods of our nation's history were strong in covering up injustice and abuses of all kinds from the world. Government itself has taken the lead in overlooking and regulating the funds and management of the great public charities and institutions of the country ; and now with this new feature in the case respecting the funds of Greenwich Hospital, surely a thorough and impartial search into the justice by which of late years it has been contended these funds have

been withheld from the family from which they were forcibly taken, is due as a public satisfaction to the people. But we must return again to the history of the 6th earl. He was an officer high in rank in the Austrian army, and somewhat late in life was espoused to Amelia Anna Charlotte, Princess Sobiesky, a descendant of the noted Polish family of that name. They had issue John James ; Lady Elizabeth, who was born in 1817, died in 1818 ; the Hon. Francis, born in 1820, died in 1824 ; the Hon. Eugen, born in 1824, died in 1829 ; the Hon. Albert, born in 1827, died in 1829 ; and Lady Amelia Matilda Radcliffe, the present Countess of Derwentwater.

Though a chain of fortuitous and deeply trying circumstances kept this noble man, his brother, and father, aliens from their native land, at least outwardly so, for they were frequently here, only of necessity under other names, they were yet all high in honour in foreign countries, and any individuals must be prejudiced indeed, who could glance at their portraits without thinking that they were so deservedly.

During the interview already named between this nobleman and King George III., the polished address and fine soldierly bearing of

the earl won the kindly admiration of the king while he was pleading with him for the securing and keeping safe of the burial place of his family. "Have you any other request make, my lord?" asked the monarch after he had promised this. "None, your Majesty," replied the kneeling nobleman, and so their interview ended. The earl afterwards declared to his family that he could have served King George upon his knees, he looked so good. "Then was your time," wrote Lord Erskine, "to have asked for the restoration of your estates."

In the year 1833, this cultivated and intellectual man, and heroic soldier, John James, the 6th earl of his family died, and his son of like name with himself succeeded to the heirship; his lady died in 1835.

THE 7TH EARL.

Like his predecessors, this nobleman was a highly educated gentleman and an energetic soldier; he was in his eighteenth year when his father died, served Louis Philippe, of France, and was his faithful adherent in his last troubles with his people. Our readers will perhaps remember that in some of the newspaper accounts of the flight of this king, a gen-

tleman of the Radcliffe family was named as one of those who succeeded in saving him from the infuriated populace, and they conveyed him safely to the boat by which he eluded the eager search of his pursuers. These brave men, under the guise of English fishermen, remained many hours upon the water with him until they had an opportunity of getting the fugitive monarch into safety. Through evil report and good report the Radcliffes have ever been faithful to the kings they served : but in this instance the fidelity of the exiled English noble cost him his life ; for giving his own extra clothing in the night to shelter the shivering king, he caught a cold which ended in death, at the age of thirty-nine. Pity it was that the vigorous powers of such men as these all were could not be exercised for England ; true energetic and noble hearts are of priceless value to any land.

CHAPTER XI.

THE COUNTESS AMELIA.

THUS has closed a chapter in which we have given a very brief outline of the succession in which from father to son, or brother to brother, four of the house of Radcliffe succeeded

in the direct line of heirship to the Derwentwater lands, and shewn how for many years the oath of abjuration kept them from dwelling on them. Our present one treats of a different subject, and one, the leading events of which have for some time arrested and kept fixed the earnest attention of the English people, more especially those of the northern counties.

The 7th earl died unmarried, and left by will his sister, the Countess Amelia, as sole heiress by entail and general heiress to all his estates and effects, she being the only direct surviving representative of the family. The oath of abjuration being abolished by the English Government, the Countess made appeal after appeal to high authorities in the land for restoration of the estates of her grandfather, the 4th earl.

The public are already informed of the family documents which the Countess had sent in, in proof of the reality of the grounds on which she asserted her claim, and of her bitter complaint that though her request was not attended to, the documents themselves were not returned. Year after year passed away in wearying and wasting expectancy, and while thus waiting the issue of events she came to reside for a while at Hexham; the beautiful

nature of the scenery around which, as well as its being so peculiarly dear to her from having for ages been the patrimonial lands of her family, gave it an attraction which few others could have. Here the noble powers which God had given her were brought fully into exercise ; she was thought eccentric by many because she did not mingle generally in society, but at that period she was in point of fact a recluse, giving all her spare time to the devoted, passionate love of art ; it was a love inherent in her nature, a love which had been nurtured by the earnest and enthusiastic pursuit of many years, and there is no exaggeration whatever in saying that this gifted lady has accomplished works as an artist, and especially as a historical painter, which no English woman save herself has ever yet achieved ; these works will be handed down to posterity as proofs of the nobleness of her genius, the refinement of her taste, and the masterly way in which she has worked out her grand and beautiful conceptions. It was well that during these years of anxiety and sorrow, one so fervid in temperament had thus a resource within herself to which she could turn as a recreative occupation.

Many a lonely walk was taken by the Countess Amelia in those days amid the beautiful

and romantic environs of Dilston Castle, sketching here and there, and thinking of the days gone by, and many a bitter pang came over her soul in her lonely isolation.—

'Tis hard to gaze on my father's halls,

And the home that should be mine ;

'Tis sad to weep by the roofless walls,

Where the tangled ivies twine.

Where shall the lone oppressed one turn ?

Oh ! who can feel with her ?

Alone, alone, 'mid the crowds to mourn,

No lot like hers is there.

We are told, that " hearts grow old by feelings, not by years ;" and truly the feelings of one so nobly born, and heiress to so rich a heritage must have been intense in her unobtrusive and lonely sojourn here, while far-away-strangers were the possessors of her patrimony, and those whom they had placed here owned subjection to none but them. The heart knoweth its own bitterness, and little would the wayfarers that passed her on the road, reckon of the thoughts that filled her heart. It is little to be wondered at, that one like this lady should have been thought eccentric by some who knew her ; her circumstances isolated her in feeling from all others ; and her thoughts thrown in as it were upon herself, gave themselves not to the usual routine of general society,

but to the peculiarity of her own bereaved lot in life, amid the anxiety consequent upon her position, and the steady earnest exercise of her artistic powers. The hours passed at her easel were amongst her happiest ones, as she sat in her solitary studio, almost regardless of passing events ; yet there was ever the yearning for the old home of her family ; for the high heart of a nobly gifted woman was throbbing restlessly, as the captive bird against the bars of its prison.

How could such a one be just like those around her, who were moving in the happy circles in which their families were surrounding them, and to which they themselves had been born ? Most kindly and loving in character, although she was with them, she was not of them ; for before that could be, there must be a healing of the wound at heart.

Part of these years of expectancy were passed at Keswick among the beautiful estates there, to which also she was the lawful heiress ; and there also as at Hexham she most assiduously pursued her studies as an artist. Little had the ancient noble dwellers on Lord's Island there, anticipated the day in which a lineal descendant of their lofty line could be circumstanced as she was ; bereft by death of her natural sup-

porters ; bereft by man of her noble heritage in England.

It appears to have been about this time that from high legal authority this deeply tried yet ever energetic and hopeful lady got a list of all the proofs which would be required in order to substantiate her claim, and establish her own identity as the granddaughter of John 4th Earl of Derwentwater. She went abroad, and had free access given her there, by order of the existing authorities, to every place in which proofs of the past residence, marriages, deaths, &c., &c., of her family were to be had. She made the chain of evidences complete, and returned to England in order to lay them before those of her own nation here ; only craving a fair and impartial hearing, and a careful unprejudiced scrutiny into the matter. This, however, she could not get, and how heart-crushing she felt the coldness of her own land need not be said. Oh ! surely England who has been the pride of nations as a kindly receiver of foreign refugees, ought not thus to deal with her own ; surely a hearing was as little as could be requested, and an earnest search into the matter as little as could be given.

Finding that no petitions for redress which she could send were attended to, and acting on

the advice of her counsel, she at length took the bold and straightforward step of taking possession of the ruined home of her fathers at Dilston, till those who had charge of it then, could shew a better title to it than she had. The claims she had put forward had neither been denied or disproved ; but to make them effectual, required an additional weight of power, which she did not possess ; and sorely wearing had been the heart-sickness through which she had struggled, as those who ought to have come nobly forward to get justice for this scion of one of the oldest of the noble families of the land had put her claims aside, because they were not backed with power. Why had power been given to themselves, but for the purpose of aiding those who needed aid ? These had not come forward however, and strong alone in her own assurance of her right, she acted on the advice alluded to, and on the 29th of September, 1868, the *Hexham Courant* gave the startling announcement to the people that possession had been taken of the old castle at Dilston, by the Countess Amelia ; that the Ratcliffe flag was again waving from the tower, and portraits of the family suspended on the ruined walls. What an excitement there was ; what a buzz of questioning rang through the neighbourhood.

Was it true? Did anybody think that it was true? Yes, there was little doubt of that, for in an incredibly short space of time the miles between Dilston Castle and Hexham had been traversed by many pedestrians in their eagerness to ascertain the truth; and then awoke as strong as ever the earnest tide of affection among the poor, whose families have ever cherished the memory of the hapless young Earl, the loss of whom generations before had been mourned so bitterly. The poor are often said to be ungrateful, but if this be the case generally, surely their love to the Derwentwater family must form an exception.

"The sides of the principal room," says the *Hexham Courant* of that day, "have already been hung with the Derwentwater family pictures, to some of which the Countess bears a marked resemblance, and the old baronial flag of the unfortunate family floats proudly from the fine, though old and delapidated, tower. These energetic proceedings of the Countess will no doubt soon be questioned by the authorities in London, and we shall soon have their legality tried in a court of law. We however cannot but express a hope, that the Countess will have every fairplay, and that if she has been illegally kept out of possession of

what is properly her own, reparation will be at once made, and thus end one of the darkest chapters in the history of our country, by a becoming act both of equity and justice." Such was the general expression of the people's feeling, saving and excepting those whose interest it most decidedly was, or at least appeared to be, that no heir or heiress whatever should make their appearance to the estates of the Derwentwaters.

Thus much for the thoughts of the outsiders ; but if every feeling of that lady's heart could have been recorded (as indeed they were, though as yet we see not the record), what a thrilling history there would have been. Accompanied by three faithful attendants, including the driver of the waggon, which contained such few articles of furniture boxes, &c., as she required to have with her, she had left her residence at Blaydon very early in the morning, and who may say what were her feelings as the grand grey ruins of Dilston Castle met her eyes that day ? nay, every step of the road from leaving Blaydon must have been attended with an intensity of feeling, such as very few can realize the conception of. Then the moment she trod the greensward of the park, and crossed the ruined threshold of the old paternal home,

the glance upward through the dismantled roofless walls to heaven ; the proximity of her buried dead, (for the chapel and family vault are close by), what a rush of emotion there must have been ; but under the strange and exciting circumstances, it had to be all crushed down, in order to make as speedy and as good an arrangement as was possible of such articles for shelter and convenience as had been brought. There was no roof whatever to shelter this descendant of the ancient lords of the place ; and a slight and temporary awning had to be contrived to be in some degree a screen from autumn tempests ; for even then the weather was damp and wet. What a strange episode was this in England's history ; what a new chapter in the annals of that noble line.

CHAPTER XII.

THE COUNTESS AT DILSTON CASTLE.

"I have come to a roofless home.

Oh ! who comes here as the yellow leaves
Of the grand old woods are falling,
And the damp, damp breath of the autumn heaves
The gossamer threads that the spider weaves
Mid the ruined walls of Dilston ?

Lone is the tower where the warder erst
Kept watch for foes on the Border ;
And the noble walls are crumbling fast,
And the mouldering stones in the dust are cast
Of the lordly halls of Dilston.

Oh ! who comes here ? not with clarion calls,
Or horn of the huntsman winding,
But with yearning heart for her father's halls,
And a home once more in the old grey walls,
Of the Derwent Tower at Dilston.

The wind blows cold through the open doors,
And winds up the broken staircase ;
And the autumn rain through the windows pours,
Mid the shivery blasts of the cold night hours,
In thine ancient home at Dilston.

Earl James will rest 'neath his crimson pall
In the chapel vault securely,
But the cold wet showers upon thee will fall,
And the blasts sweep round by the roofless wall
Of the ancient Keep at Dilston.

Far in the future yet lie hid
The results of thine heart wrung mission,
By the eye of the Great Unseen they are read ;
And descendants yet of the long-mourned dead
Shall dwell as the Lords of Dilston.

DURING the course of the day, the gentleman who, as agent for the Lords of the Admiralty, has now the care of the Dilston lands and hereditaments, waited upon

her ladyship; informed her that she was trespassing upon the property of the Commissioners for Greenwich Hospital, and that he would be obliged to report the matter to their Lordships. The Countess, strong in her assurance that the lands of her grandfather had been unlawfully given into the care of those Commissioners, "informed that gentleman that she was acting under the advice of her legal advisers, and was prepared to defend the legality of her proceedings." The meeting was a courteous one on both sides, and he departed. This was Tuesday, Sept. 29, 1868, and on the following Thursday this gentleman, having telegraphed to the Lords of the Admiralty for instructions how to act under those very peculiar circumstances, received in reply directions for the ejectment of the Countess; and accordingly, accompanied by the attorney who in this locality transacts business for the Commissioners, he waited upon her ladyship again, at one o'clock, and informed her of the instructions he had received, and begged her to leave of her own accord; this, however, was too near and dear a point with her to give up so easily, and she declared that rather than do that she would die where she was, and then stated with remarkable clearness her right to remain there

as the descendant and lawful heiress of the last rightful possessor of the estates. The case, however, with this gentleman, who had only to act in accordance with the instructions he had received from London, was an imperative one ; and he informed her that if in two hours she did not voluntarily leave, he would be under the necessity of ejecting her. The Countess requested him to telegraph again to enquire to what place he was to take her, but his reply was it was too late, there would be no one at the Admiralty qualified to give directions, and again he took his leave. To give up her hold on this ruined home, so sacred and endeared to her, was like giving up her hold on life itself ; and the expiration of the specified time found her with her firm resolve unshaken. Five men, a groom, farm servant, and two woodmen accompanied the agent and attorney on their return ; they removed the articles of furniture, and four of them taking up the chair on which the Countess was seated carried her down the broken stone staircase, and out on to the lawn, and from thence across it out on to the road. There, conceiving that she was ejected from the estate, they left her ; but this descendant of the ancient lords knew better about these matters than any there did ;

it was a road which had been made by those who had no right to cut up the estates of an absent race, and was virtually as much a part of the estate as ever.

The articles of various kinds which belonged to the Countess had been, as we have named, brought out before she herself had been removed ; and there by the roadside was a sort of tent, if tent it could be called, made for the shelter of the one whose right, to the broad and beautiful lands of the Derwentwaters, has yet to be tried, by, it is hoped, a courageous, unprejudiced, and justice-loving jury of her countrymen. Ages will pass away and this strange scene will not be forgotten. The taking possession of that castle was no vague and idle freak of woman's brain, no Quixotic attempt to make a sensation in the neighbourhood, but an earnest carrying out of a great and steadfast purpose, the restoration of a right to one of the noblest patrimonies in England, which in long years before had been wrested forcibly from a man who had been guilty of no crime ; and the title deeds of whose estates had been forcibly taken by strangers from the residence of a relative.

In the ancient, far back Jewish times, if a family from any cause of trouble were absent

from their portion of land, that land by the law of heritage was kept sacredly, until the heirs returned ; has the boasted march of intellect and civilization in England brought with it the march of such dire injustice that when the rightful claimant comes those who held it in trust shall refuse to give it up ? If this law is trampled upon in great things it may soon be in small, and if in small things, it may soon be in large again ; and those who are projecting to go to this part and the other part of our world in these travelling times in search of knowledge, may well ponder, first thing, whether or not the patrimony they leave behind may be theirs when they return. If deeds of title may be taken with impunity, of what avail are such deeds to their possessors ? In no way could the integrity and well-being of England be more shaken than by trampling underfoot or setting at nought the law of heritage, the sacred coming down of property from heir to heir.

The long pending struggle for the Radcliffe lands, which for generations had been looked forward to with so much solicitude by the male heirs of the family, as they waited patiently till the law should be abolished which kept them from applying again to the Crown for them, had fallen as a heavy task upon the

energies of a female ; yet singular coincidences have already occurred in that family in a similar way. When the Normans in the time of the Conqueror dispossessed the Saxon Radcliffes of the Keswick lands, it was by a female that they were again brought to their family ; it was by a female, Johanna, the Lady of Dilston, that the Dilston lands first came into the possession of the Radcliffes ; and now, again, the effort to regain them, after the males have waited, and wearied, and died, has been appointed again for a female ; but we must return from this digression to the scene upon the road side.

As the Countess declared she was still upon her own lands, and expressed her determination of returning again to the empty castle, the outer gate leading into the park was locked with a cart chain, and two men were placed by it to watch the entrance. It was a singular scene that, for the shooting lights and the stars of that cold, frosty night to look down upon, and brought to the mind the traditionary sayings of the far back times about the Derwent-water lights. A singular scene for one of such high and ancient lineage to be so circumstanced, just outside the lawn of her ancient home, with two men watching a chained gate

lest she should enter ; verily it seemed almost enough to have roused her dead ancestors from their dreamless sleep. The tent, which had been hastily formed out of such tarpaulin, boxes, &c., &c., as had been in the castle, was of the most comfortless nature possible, and though the utmost sympathy was shown by many, still the nature of the circumstances prevented them being able to render the efficient aid they wished.

Her ladyship's two faithful attendants kept constant guard by the tent, and near it a sort of flambeau fireplace, which had been kindly sent, was placed outside and kept burning. Thousands and thousands of individuals of all ranks soon came from even great distances to this strange and wonder-stirring scene, some few were admitted to see the countess, but the greater part only came to look on the outside gipsy-like encampment.

It was on Thursday, October 3rd, that the ejection from the castle took place ; at one time, on the Sunday following, it was computed that there were not less than five hundred present ; and the day following, many of the titled families in the neighbourhood were of the number. Weeks passed away, but still there was no alteration in the position of her

ladyship ; but her health was evidently giving way beneath the effort she was making to bear up under the difficulties that were around her ; nothing could exceed the sympathy and solicitude of the people generally on her behalf. Almost every one you meet, says the *Hexham Courant*, expresses the wish that she may "get her rights;" they anxiously inquire after her health, speak in whispers when they approach her tent, and exhibit in every possible way their sympathy and condolence.

The season was late, the weather often bitterly tempestuous, and how the frail tabernacle, which was the only shelter for so great a length of time, stood up against it all seems wonderful. At length, on the 17th of the month, a small but exceedingly neat wooden erection was sent out from her ladyship's friends at Blaydon, which was placed alongside the tarpaulin tent, close to the edge of the road against the hedge ; it contained two compartments, the outer one for the attendants and the inner for the countess. It was wonderful to see in what small bounds so much prettiness and convenience could have been arranged, and certainly the care, taste, and kindness of those who sent it was an honour to them. The being able now to stand or move about a little

must have been an unspeakable blessing to one who had for seventeen days been crushed into the narrow limits of a tent that was not near her own height, and in which she was almost suffocated for want of air. The interest and sympathy of the people in her ladyship's cause never flagged, and from far and near the otherwise quiet and solitary lane had now many visitors. Several of these were of distinguished families who came in their carriages, inquired after her health, and left their card or presents. In fact, during the whole six weeks of her ladyship's sojourn there, presents of all kinds were coming in continually.

During all this time and for some weeks afterwards the greatest surprise was expressed that this lady should be allowed to remain where she was, and many were the shrewd conjectures respecting it, but, in fact, the case was too much out of the common order of things for any one to like to meddle with it.

On the 20th of October a special meeting of the Highway Board was, however, called, for the purpose of getting summonses issued against the countess and her attendants as being trespassers on the highway.

On the 24th a further move was made respecting it at the Northumberland Sessions, and then

public meetings began to be held at Blaydon, Corbridge, Hexham, and Newcastle, for the purpose of supporting her ladyship in the claim that she was making.

On the 31st of the month Lady Amelia's solicitor attended on her behalf in reference to the summonses that had been sent. A counsel from Newcastle had also been engaged to attend, but he failed her in the time of need, remained absent, and sent no substitute ; the solicitor thus unexpectedly thrown on his own resources at a time when no other aid could be got did his part faithfully, and did it well. The result, however, was that her ladyship was fined ten shillings and costs.

So much for the decision of a local board, but the thing that yet remained to be proved was whether the countess was or was not on her own lands ; if she was, then the public were the intruders and not her ladyship.

The next feature of the struggle which was now going on was a very distressing one to every individual who, unbiassed by fear of loss, was earnestly regarding it. This was a second ejectionment of this daughter of the old lords of Dilston from the patrimonial lands ; the trials attending which, from many concomitant circumstances, were peculiarly aggravated. For

some days preceding it, the countess had been suffering from a severe illness and great prostration of the whole system ; during the whole of Wednesday, November 4th, she was scarcely able to raise her head from the pillow, the bronchial attack from which she was suffering being so much worse. On the following day, however, the Highway Board, who were claiming the ground on which the little wooden house had been placed, sent their surveyor, solicitor, and a deputy chief constable, with a waggon and police force of five and twenty men to remove it. This was done, the little dwelling lifted and put upon the waggon, the tarpaulin tent taken away, and what boxes, &c., they both contained were put into a cart, till nothing was left but the chair on which her ladyship was seated. In all this work the police refused to intermeddle, stating that they were only there to see that order was kept, and if needful that the countess was protected. They were not there to help the Highway Board. By this time about one hundred spectators had gathered round, earnestly yet quietly regarding the proceedings, but when at last the chair on which her ladyship was seated was attempted to be moved they broke forth into groans and hisses ; this was silenced by

the police ; the hassock was taken from her feet, and some one there read the inscription on it, "Envy thou not the oppressor, and choose none of his ways," the chair was removed from under her, and she walked towards the hedge, when everything save her carpet bag was taken away, even to the boards and straw there beneath her feet ; so strict had been the orders given to those who had the wretched task of executing them. The crowd gradually departed, and her ladyship and attendants (a father and daughter, and the husband of the latter) were left alone. It was not long, however, before the watchful friends at Blaydon had another shelter ready for the countess for the night ; for almost as soon as the wooden house was out of sight another of a more temporary character was on the road.

How that night was got over it would be difficult to say, for this day of trial came heavily on one who was thoroughly ill before it began, throughout the whole of it, and for many a long day after. The next issue of the *Hexham Courant* thus speaks of the countess during this fiery ordeal : "The firmness and ladylike demeanour of the sufferer could not fail to convince the most sceptical that she, at least, was fully persuaded of the righteousness of her

claims ; and as she sat with all the dignity of one prepared to act as a martyr to her convictions many of the spectators dropt a sympathising tear."

The night was most bitterly cold, and at five o'clock the next morning, worn out with suffering, the countess left the sheltering hut, if such it could be called, and proceeded to Shorncliffe, where in the home of friends who had most nobly attended to all her requirements during this time of trial, she at length enjoyed a few hours of sleep, such as for nearly six weeks she had not been blessed with ; refreshed by this, during the forenoon, in company with the family, and in their carriage, her ladyship proceeded to Hexham, where with her solicitor, and in the presence of the county magistrate, she completed the document needful to send as her appeal from the decision of the magistrates to the Court of Queen's Bench. The people of Hexham no sooner got tidings of who had come, and on what errand, than they assembled in great numbers round the carriage, and greeted her with the most enthusiastic cheers ; a different manifestation this to what had taken place on the previous day. This was the beginning of a trial between right and might, which in these

days of the removal of old abuses and rectification of ancient wrongs, cannot be thought will ever rest again, till the righteous cause is fully established. After retaining possession of the lands for exactly six weeks, the wooden hut was removed by her ladyship's attendants, and they departed.

Would that the final and righteous arrangement for these patrimonial lands were arrived at amicably; without any more waste of money on either side in contention. With respect to such of the estates as have been sold, there can be no doubt; but an arrangement between the sellers, purchasers, and heiress could be made; more difficult things than that can be accomplished in these days. If domains have been sold without power to give lawful title deeds to them, the same power which sold should rectify the matter. The people of England would be ashamed of their own land if they thought that Britannia was too poor to be honest, and too ignoble to be just and true.

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"Thy Blessing is upon Thy People."

"Led on,—not driven by mere outward force ;
Led on,—not drifted at our own weak will ;
For faltering footsteps an appointed course ;
For nerveless grasp, a Hand, firm holding still."

"Herein is Love."

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